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DOCUMENTS, ESSAYS, AND FACTS;

TOGETHER WITH

NOTICES OF THE ARTS AND MANUFACTURES, AND A RECORD
OF THE EVENTS OF THE TIMES.

H. NILES, EDITOR.

PAST—THE PRESENT—FOR THE FUTURE.

FROM SEPTEMBER, 1819 TO MARCH, 1820—VOL. XVII.

OR, VOLUME V.—NEW SERIES.

BALTIMORE:

PRINTED AND PUBLISHED BY THE EDITOR,

At the Franklin Press, .

BEAD OF CHEAPSIDE.

Index to the Contents of the Volume.

General directions—Many articles are mentioned two or three times in this index—when any one is desired to be found, refer first to what is supposed to be the leading word belonging to it—if not found there, turn to the country in which the thing happened, or, if in congress or reported to congress, &c. refer to congress, under which head there is also an alphabetical arrangement. In other words, if what appears to be a particular head fails to designate the location of an article, refer to a general one.

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NILES' WEEKLY REGISTER.

NEW SERIES, No. 1—Vol. V.] BALTIMORE, SEPTEMBER 4, 1817. [Vol. I—Vol. XVII. No. 417

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

Singular mistake. The editor of the *Washington City Gazette* has fallen into a singular mistake—probably, from a mixing of things together by the *National Intelligencer*, which had no sort of affinity with one another.

The *National Intelligencer* has *not* denied the facts we recently published about the bank of the United States—on the contrary, it has admitted them, and attempted to justify or excuse them. *The editor of the Register knew perfectly well that what he stated would not be denied.*

Mr. Elliot will oblige us by noticing this unintentional error.

"Vice president's affairs." Mr. McIntyre, the comptroller of the state of New York, has given an opposing statement to the public, respecting the accounts of Mr. Tompkins. Its great length has prevented its insertion in this paper; but it shall be registered.

HEALTH OF BALTIMORE. It was not until Saturday last, from the conflicting opinions of the physicians and other causes, that the board of health felt authorized to indicate an opinion that the yellow fever existed in this city, which they did in the following terms—

"The cases of fever at the remote part of Fell's Point, adverted to in our last report, we are sorry to say, have considerably increased in number, and are very decisively characterized with the symptoms of yellow fever. They amount in number to about fifty cases.

They are still confined within very narrow limits, and are chiefly traced to the same source, but exhibit indications of slowly extending.—The deaths have hitherto been very few; but most of the cases having occurred within a few days, their results are not yet ascertained. But are estimated at the proportion of one fifth.

The board are disposed to hope the disease may not spread, but have thought it their duty to give this early notice of its unfavorable aspect, and earnestly to advise the citizens of that district to move away as speedily as possible.

By order of the board of health,

P. REIGART, Clk."

This created some alarm; but its good effect was to cause a general removal of persons residing near the seat of the disease, for it had been found to be local, distinctly to be traced to certain spots or causes, and as yet no evidence is afforded of its having been *contagious* in a solitary case that we have heard of, after considerable enquiry.

Other publications by the board, since the date of preceding, though they still shew the existence of the disease, assure us that it has assumed a milder character, with a decrease of the number of those laboring under it. The police have made powerful exertions to cleanse and purify the district in which it had raged, and others supposed most likely to give birth to the disorder; and much good appears to have resulted from it.

There is a considerable degree of uneasiness in the public mind; but much more so on account of what it is apprehended may happen, than because of the present sickness of the city—nine-tenths of

which is now quite as healthy as it commonly is at this season of the year. A belief, however, is now indulged by some whose opinion deserves much respect, that the disease is checked and may be eradicated at an early day. A week more will probably decide whether this belief is rightly founded or not.

While the disorder prevails, we shall publish a record of the interments—the following is their amount for the week ending yesterday at sunrise:

	Malignant diseases.		Other		Adults.	Children.	Total.
Saturday, Aug. 28,	2	4	0	6	6	6	6
Sunday, 29,	5	11	6	10	16	16	16
Monday, 30,	8	5	3	10	13	13	13
Tuesday, 31,	3	9	5	7	12	12	12
Wednesday, Sep. 1,	2	11	8	5	13	13	13
Thursday, 2,	7	7	6	8	14	14	14
Friday, 3,	3	6	3	6	9	9	9
	30	53	31	52	83	83	83

The number of deaths, as the city is unusually full of people for the season of the year, (among whom are many foreigners unaccustomed to our climate, and some of them badly provided with the necessaries of life) might fairly be estimated at about 70 persons per week, from customary diseases and casualties.

Intercourse with all the ports of Virginia, with Philadelphia and Wilmington, is prohibited to persons and goods from Baltimore.

Newport, R. I. is reported healthy. The malignant fever appears to be abating at *Boston*. The report of new cases of the yellow fever at *Charleston* is from 5, the lowest, to 12, the highest number, in 24 hours. An account of deaths is not given.

The treasury and the bank of the U. S.

The *National Intelligencer* has published an article from the *Register* of the 21st ult. respecting the submission of the secretary of the treasury to certain requisitions of the bank of the United States, with the following explanations and remarks—on which we have made a few comments.

FROM THE NATIONAL INTELLIGENCER.

Bank of the United States.—Our attention has been attracted, by an extraordinary article in Niles' Weekly Register of Saturday last, on the subject of the bank of the United States; for the clearer comprehension of which, we have copied it at large in a preceding column. Though the two facts announced as of such surprising novelty, have been notorious for months, and not only acquiesced in, but approved by those whom they most concern; yet, as this article, with all its pomp of declamation and gloss of colouring, has appeared in so respectable a paper as the Register, we shall make it the subject of some remarks on the general subject to which it relates. (a)

It is with regret we have seen the reiterated assaults which have been made upon the bank of the United States, not only by anonymous writers, and by editors of newspapers, but by the directors of state banks, which owing to the pressure of the times, and to various other causes, which it is not necessary to be particular in enumerating, have

yielded to a supposed or apparent necessity of stopping payment. We have even seen that, in states where the bank of the United States has not even established an office of discount and deposit—where that institution has not in the most remote degree, acted upon the state institutions—the local banks yielding to feelings such as evidently dictated the effusions in Mr. Niles' Weekly Register, have not only thought themselves justified in ascribing their bankruptcy to the operations of the United States' bank, but have even taken merit to themselves for so flagrant an act of delinquency, by pretending that they thereby interposed some barrier to the aggressions, which they allege that institution is endeavoring to commit upon the rights of the good people of these United States. (b)

Far be it from us to object to the most rigid examination, not only of the conduct of the late and present directors of the United States' bank, but also of the government itself in creating that bank.—The latter question, however, we consider as definitively settled, by the acts of every department of the government for the last thirty years. We will not attempt to occupy the public attention with discussions on which the pens of the wisest and most virtuous men of the republic have been employed. The institution exists. Virtuous and moderate men are bound, it appears to us, to admit that it rightfully exists. It remains only to examine whether the interest and convenience of the republic has been subserved, and will be subserved, by its operations, conducted in the spirit of its charter. To perform this duty with fidelity and intelligence, we have endeavored to ascertain the relations which have subsisted, and which still subsist between the treasury and the bank, so far as its agency is used by that department in conducting the fiscal concerns of the nation. (c)

It appears that shortly after the organization of the bank, upon the suggestion of its officers, all the monies paid into the bank, its branches, or the state institutions, were entered to the credit of the bank of the United States, for the use of the treasurer of the United States, subject to the drafts of the bank and of the treasurer. As the bank was bound to transfer the public money free of expense, the selection of the state banks in which it was necessary to deposit public money was left with it, under the expectation that the aid of those banks, in making the transfer, might be advantageously obtained. It was at the same time understood, that the drafts of the treasury should be paid, whether there was any public money at the places at which they were made payable or not, except when drafts were drawn, payable at places where public expenditures were not usually made. In such cases, when the sum was considerable, notice of the time, place and amount was to be given; so that the necessary funds might be transmitted, to meet the demand. It was soon found necessary to dissolve the connexion between the bank of the United States and the state banks in which public money was deposited. The former had either omitted to draw the latter into specific engagements, or, if such engagements were entered into, they were considered onerous, and produced frequent remonstrance and complaint to the treasury. It is believed, however, that these remonstrances generally resulted from the undefined nature of the relative rights and duties of the respective parties. Be that as it might, the connexion was consequently dissolved.

In the month of April last, the board of directors, after having previously communicated to the secretary of the treasury the necessity which existed of

changing its relations with that department, came to the resolution, "That the secretary of the treasury be respectfully informed that the bank cannot engage (without such notice as shall be sufficient to make an actual transfer of funds, from the places where they may be collected, or where the notes are payable, when they consist of notes of other offices than those where they are collected) to meet the treasury drafts, except at the points where the funds are collected, or the notes payable; and that the president be requested to assure him of the willingness and zeal of the bank to forward this object by general operations, in anticipation of notice, according to any estimates he may furnish."

The practice, under this resolution, has been, to charge the bank of the United States with the whole amount of its notes, and those of its offices received by it on account of the treasury, as for specie; but the notes of the offices received at Philadelphia are demandable by the government, not at Philadelphia, but at the offices by which they were issued. If the treasury requires them to be paid at Philadelphia, time must be given to make the transfer. The result of the receipts at New York, &c. of the notes of the bank and of its other offices, is analogous to that which has been just described at Philadelphia.

Immediately after the adoption of this regulation, and before notice could be given, and transfers effected, there was a general deficiency of funds to the eastward of this place. The situation of the bank, which was so precarious as to impose upon it the necessity of adopting this regulation, did not admit of its departing from it in practice, in any considerable degree, for some time. It was therefore necessary, before drawing upon the bank or its offices, where there was no public money, and where there had not been time to transfer it, to inquire of the bank whether the sum could be advanced by it. Letters of this kind were upon several occasions addressed to the bank, in order to obtain payments necessary for the public service, at an earlier day than the public funds could be transferred to the points where they were required.

It has not been contended by any respectable authority, since that question was examined by congress, that the bank is bound to pay its notes at places different from its undertaking, as expressed on their face. If it is not bound to do this generally, it is not bound to do it in the case of the government. No such obligation is created by the charter. The secretary of the treasury had no legal right to object to the resolution under consideration, inasmuch as it fully recognizes the obligation of the bank to transfer the public funds, and expresses its readiness to perform that obligation. (d)

The valuable preference given to the bills of the bank, in the 14th section of the charter, of which Mr. Niles, or his correspondent, speaks, is more onerous to the bank than any other, and perhaps than all the other conditions imposed upon it by the government. It is this preference which imposes upon the bank the obligation, from which it would otherwise be exempt, to transfer from place to place an immense amount of public money. To remove all doubt of the correctness of this assertion, it is proper to state, that the revenue collected in the western states, and in all the states south of Virginia, greatly exceeds the public expenditures in those states. The surplus has to be transferred to this place, and to the principal cities east of it. The duty of transferring this surplus, however, would not be very oppressive to the bank, because the amount, compared with the whole re-

Venue, would not be very great; but, as the government receives the notes of the bank and of its offices, without reference to the place where they are payable, the notes of the southern and western branch banks are paid to the government at Baltimore, Philadelphia, New York, and Boston, to the amount of nearly one third of the whole revenue collected in those places. This amount, whatever it is, has to be transferred, from the southern and western offices, to the places where it has been received.

If the notes of the bank and of its offices were receivable by the government only where they were payable, the revenue in Philadelphia would be collected in the notes of the parent bank, and of the banks of that city, and the same result would occur in New York, Boston, and Baltimore. The bank, therefore would be relieved from the burthen of transfer, except of the actual surplusses in the southern and western states. So burthensome has this preference, which Mr. Niles appears to value very highly, been to the bank, that it is believed it would not only be thankful to congress to resume this supposed grant, but that it would willingly pay liberally for the resumption. To this resumption, however, the public interest is opposed. The receipt of the notes of the bank every where by the government, gives them a universal currency, which is extremely beneficial to the community. Taken throughout the United States, they are preferable to specie. In Boston, the great money market of the nation, the notes of distant offices vary from one-half to one-fourth per cent. below par. Every where else they are believed to be nearer par or above it. Let the government refuse to receive these notes, except where they are payable, and they become local paper, every where suffering a depreciation in proportion to their distance from the place of payment, as the state notes now are, from one-half to twelve and a half per cent. (e.)

Before closing these observations it is proper to state, that the obligation of the bank to transfer the public funds is wholly unconnected with the rate of exchange, or the balance of trade between the place from whence the transfer is to be made, and that to which it is required; nor is it understood, that the bank has ever objected to this construction of the charter. (f.)

It is presumed, that neither the secretary of the treasury nor the president of the bank will regret to see the whole of their correspondence exposed to public view. The character of these individuals is a sufficient pledge to the republic, that nothing has occurred between them, either individually or officially, which will shun disclosure. They have both been long before the public in trying times; and, if the situations they now hold, (to say nothing of their standing in the community) can be considered as evidence of public opinion, they have not deceived the expectations of the country. (g.)

That the bank was, to say the least of it, unfortunately managed before Mr. Cheves had any share in its direction, is universally admitted. That he found it struggling for its existence when he entered upon the duties of his office, cannot be denied. He breasted the torrent which was setting against it, and has received the reward of his vigorous and virtuous exertions, in the restoration of the bank, from its disordered state. We do not enter into the question, which has for some time agitated the public mind in different parts of the union, whether specie payments can now be continued, or whether it was judicious to have resumed them. We leave these questions to the national councils,

to which they rightly belong; but we have no hesitation in saying, that it is owing, in a great degree, if not entirely, to the measures of the present directors of the United States' bank, that specie payments have not already been suspended, at least in the middle, southern, and western states. (h.)

That there have been mistakes in the management of the bank; that there have been worse than mistakes on the part of some of its officers, there remains little doubt. If the worthy editor of the Register exposes these things, and holds them up to public reprobation, we shall not blame him, though we have no desire to witness the exhibition. But, of this we feel certain: that the very measures of which he complains, are such as are calculated for the public benefit, and that every exertion has been made, and is making, to detect and reform abuses in the government of the bank, and make it what it was intended to be, by those who established it. Such being the fact, we say the bank deserves that confidence of the community which it is every day acquiring, and which the editor of the Register seeks to destroy. (i.)

COMMENTS AND REMARKS, BY THE EDITOR OF THE REGISTER.

(a) I thank the editors of the "National Intelligencer" for giving my "extraordinary article" entire, that their readers as well as themselves, may determine its merits:—and as I think it a matter in which the public is deeply interested, I am glad that many are thus possessed of the facts who otherwise might have remained ignorant of them.

A replication was expected; and I felt pretty confident, for reasons not necessary to mention, that it would appear in the *Intelligencer*, from the editors or a "correspondent," to explain away what I stated. The two leading things however, are admitted: to wit, that the notes of the bank of the United States, though every where receivable as money by the governments of the United States, are not money to government except at the places at which they are payable;—and that, the bank does not feel itself bound to pay the drafts drawn by the secretary of the treasury on any place whatever, unless the public monies shall have accumulated there to a sufficient amount, except after due notice, and then only on COMMERCIAL PRINCIPLES. The other fact, that the fiscal concerns of the government had suffered much embarrassment, in consequence of this arrangement, is passed over unnoticed.

The editors or "their correspondent," set out with a display of their knowledge in the art of sinking, after the manner in which too many write and speak at Washington—by affecting to treat the things published as having been "notorious for months." Notorious to whom? Not to the people—to the secretary of the treasury, and the president and directors of the bank and its branches, perhaps, of whom the senior editor of the *Intelligencer* is one. But who else knew them? They were new to all my acquaintances, and some of them are men as likely to hear of things that are "notorious" as the editors of the *Intelligencer*. They were new to several of our most industrious editors, and even to the editor of the *Washington City Gazette*, published at the place whereat they must have been

*"Or their correspondent." I have just as much right to suppose the editorial article in the *Intelligencer* is from a correspondent, perhaps a great man, as they had to apprehend that my "extraordinary article" was so furnished. Its simple facts only, were so received.

"notorious"—if notorious at all. I myself read as much documentary and newspaper matter as any man, and I never heard of them until about three weeks ago, when they were communicated to me by a gentleman who has recently filled a high public station, and he hastened to forward them because they were *new* unto him. Now, if they were "notorious" how would all of us have been so ignorant of them? The editors of the *Intelligencer*, "or their correspondent?" must excuse me for denying the *notoriety* that they build upon. Nor do we yet know who it is that have "approved" of these arrangements—though we might guess the secretary of the treasury to be one of them; of whom and of the bank, as operating with him and he with it, if I were disposed to enter into a *political discussion*, much might be said. But I shall not do it now.

(b) I cannot see why my work is introduced here. It never has aided or supported the local banks who have refused to meet their engagements since the resumption of specie payments: but on the contrary, has advocated a sweeping of the whole of them from the face of the earth, as pregnant with every sort of mischief and abomination.

(c) A sentiment is advanced in this paragraph that astonishes me, "The institution exists. Virtuous and moderate men are bound, it appears to us, to admit that it *rightfully* exists." This, I well remember, was the doctrine of "the court" at the time of the alien and sedition laws, but I have never heard it broached in the United States since. I did not believe it in them, and shall not fall in love with it now. *It is the principle of the slavery of nations.* As well might the editors say, that as negro slavery exists we ought to admit that it exists "rightfully." The freeman, if a good citizen, will submit to the law and support the law, while it exists—but what a thing must we make of him if we require it of him to "admit" that every law because it is a law, "exists rightfully!" "*Holy men*" and "*crimined judges*" have said it was rightful to roast men and women "for the good of christianity," and legions of legislators and judges and priests have decided that kings were the "*Lord's anointed*," and therefore irresponsible to the people. Ferdinand of Spain, is one who cannot do wrong, *by law*, though always doing wrong, *by fact*. Is it not a species of *high treason* even in England, and at this enlightened day, to apprehend that their precious regent can do wrong?—If the editors of the *Intelligencer* "or their correspondent?" are prepared to "*admit*" that because these things exist they "*exist rightfully*," nothing else is left for them to do than to stigmatize *Washington* and *Franklin*, and the rest of the heroes and sages of '76, as *rebels* and *outlaws*. What—is the freedom of mind, the right of acting to repeal a law thought unconstitutional or inexpedient, to be denied to the people of the United States! It must have been a slip of the pen—it is impossible even that a *soul-less incorporation* could have deliberately ventured upon such an assertion, at a time like this.

(d) The preceding paragraph gives us a plausible history of the proceeding, with a *semi official* copy of a part of the *private* acts of the board of directors respecting it. All that we said, as to the two chief points, is admitted to be true, but very artfully glossed over. No friend of the bank would have dared to hint at the things here broadly justified, before its charter was obtained—had they been apprehended, every one of these would have hastily pronounced them to be *impossibilities*. Nay, it was only *one year* before these objectional arrangements took place, that a member of congress,

most deeply interested in the bank, and one whose intelligence on such matters was presumed to place him in the first rank in the discussion, after shewing the *great advantages* which the merchants and others had derived from the bank by the facilities afforded in the transfer of monies, said,—"*the bank is compelled, at its own cost, to place money wherever it may be required within the United States, for the wants of the government; and for this, and the collection and safe-keeping of the public money, it has an equivalent in the public deposits.*" See general *Smith's* speech, April, 1818, when the bill to authorize other persons than the president and cashier of the bank of the U. S. to sign its notes, was under consideration, that the circulation might be filled up! Every advocate of the bank, until just now, has expressed the same sentiment—to have expressed any other would have been *perdition to the institution*. No man dreamt that the bank would be released from its obligation to transfer the public funds at its own cost, as "*required*," and not on "*commercial principles*;" which implies the right of doing it for a profit, or at least as *convenience serves*. This principle being established, *six months* may often be required for an operation—all of which time the bank will have the use of *our* money and receive an interest upon it. The fact is, it may be reasonably estimated that this arrangement will preserve to the bank the *constant* use of two or three millions of dollars, which ought to be appropriated to the payment of the public debts, instead of making an interest for the bank.

It will be freely admitted, that if an extraordinary demand for public money is about to exist at any place, the bank should receive timely notice of it—but here every obligation of courtesy, as well as of the conditions of the charter, must end on the part of the secretary of the treasury, if he maintains the dignity of the government as he ought. Will the editors of the *National Intelligencer* venture an assertion of their belief, that the bank would have received a charter, but upon the assurance that the government might demand a transfer of the public funds for one place to another at its own discretion! No—indeed, they will not.

To speak of the business of "special deposits" would occupy more time and room than I can at present appropriate to it. It is sufficient to say that of it must be injurious to the government.

(e) It was always thought that any measure which gave a wide circulation to the notes of a bank, was beneficial to it—but the preference given to those of the bank of the U. States, is *onerous*.³ We do not understand why the great principle of profit to banking institutions should not apply to the bank of the United States, seeing that the "preference" of its bills makes them as money every where to the bank, though they are not so considered by the bank, in regard to individuals or the government, holding them.

After the developments we have had of the character of the bank of the United States, we are not to be surprised with any thing that it proposes. It would, no doubt, rather play the part of a *broker* than "*equalize the exchange*," as was expected of it; and *shave* the people, backwards and forwards. Still the currency given to its notes must be profitable to the institution, as it has the power in itself to controul their issue at its own will and pleasure. Without this "preference," the notes of the bank of the United States, payable in Kentucky, would be no better here than those of the old bank of that state; and instead of being held in circulation, they would return to the branch for payment.

(f) We are pleased to learn by this paragraph, that the bank has not yet resolved to *share* the government.

(g) The correspondence we hope, will be published. Let us see it, that we may judge of it for ourselves.

(h) The bank may have been useful in bringing about a resumption of specie payments—but instead of lending its aid to sustain them generally now, it has hazarded their continuance, by its wild speculations in the beginning, and its severe operations since Mr. Cheves took the helm of its affairs. It is of little use to the people as furnishing a circulating medium. It will not give a person even its small notes for a large one, or a large note for its small ones. It issues no paper at all, and acts upon the good state banks just as ‘a dog in the manger,’ preventing them from doing that which, if the bank did not exist, they might and would safely do. Many of the state banks are more solidly based than the bank of the United States is, and their directors are as high and honorable men as any that that institution can boast of: yet so it is, that the bank of the U. S. by refusing to issue its own notes and using those only which belong to the people, may forbid these banks from discounting as usual, and finally prostrate many of them, unnecessarily. I believe this is the great present object of the bank of the U. States—to ruin every institution and individual that is opposed to it as a “LEGITIMATE SOVEREIGN.” A retrenchment of discounts is every way beneficial and proper, but we know of no reason why it should have been forced in the manner it has been. The prospect is, unless some other policy is pursued, that, after having nearly destroyed the internal commerce of the country by arbitrarily creating a scarcity of *good money*, that it will hardly leave us enough of such money to perform the business indispensable to the common purposes of life.

(i). What—do not the editors desire to see an “exhibition” of the crimes of the makers and managers of this bank, which have heaped misery upon misery, like “Pelion on Ossa?”—Who have defrauded every honest stockholder of his rightfully expected dividend, and harrassed and oppressed many widows and orphans—subjecting some to all the evils of poverty and wretchedness; who have robbed even the government of 175,000 dollars,* and carried difficulty or distress into the family of almost every dealing man—Of an institution which threatens to obtain an ascendancy so dangerous to the liberties of our country—to acquire a power to direct all persons who borrow money, how they shall vote at elections—to fix the *price of all sorts of property*, and raise and depress it pleasure? As to what the present policy of the bank is doing, we shall soon understand it better than we do now. But of this we are convinced, that it is an aristocracy pregnant with severest afflictions to the people of the United States, and we are assured that a large part of the influence in its management is in the hands of *shavers and brokers*,† and other *jobbers* in

*The government of the U. States owns 7,000,000 dollars of the United States' bank stock, on which it pays the bank 5 per cent. per ann. This semi-annual interest is 175,000. But during the last half year, the stock divides nothing. The government then loses the aforesaid sum of 175,000 dollars.

Richmond Enq.

†This is deliberately said, and with reason. Let the *shavers and brokers* be whipped from the institution, before it pretends to obtain the confidence of honest men.

money and stocks. When these persons, in old times regarded as the pests of society, are proved to be the best and most useful classes of the community, we may be friendly to the administration of the bank. At present, I have no hope that its intentions are good, and feel that the power of the institution is too great to be trusted in the hands of any set of men, much less in those of irresponsible persons, regulated only by their own private interests, to which all things are forced to bend.

To conclude—when the bank of the United States is constitutional, and when its mighty power shall be used for the good of the country—when it shall behave itself as the creature instead of the master of the people, it shall have all the support which we can give to it as an *incorporation*. But as the earth did not stop in its course, as some almost feared it would, because the old bank was thought to be unconstitutional and suffered to die a natural death, so I do not believe that our globe would be much affected if the present bank were compelled to wind up its affairs, for managing them improperly—for using its immense powers to build up principalities for a few unfeeling money-lenders, and grinding the face of the poor; as well as jeopardizing the worth of property, and hazarding the freedom of the last republic.

Promotions and Appointments.

Adjt. and Insp. general's office,
August 10, 1819.

GENERAL ORDER.

The regulations contained in general orders of August 4th and September 28, 1818, relative to deserters, are so modified that the reward of thirty dollars will include all expenses of apprehending, securing, and delivering a deserter to an officer of the army, at the nearest or most convenient garrison, post, or recruiting station. Evidence of desertion, and the receipt of the officer to whom a deserter may be delivered, will constitute the vouchers on which the reward will be paid.

By order,

D. PARKER, Adj. and Insp. gen.

Adjt. and Inspector gen's office,
August 13th, 1819.

GENERAL ORDER.

Promotions and appointments made in the army of the United States, since the publication of the general order of the 10th March, 1819.

Corps of engineers.

Major Charles Gratiot, to be lieutenant colonel, 31st March, 1819, vice, McRee, resigned.

Captain Samuel Babcock, to be major, 31st March, 1819, vice, Gratiot, promoted.

Brevet captain D. B. Douglas, 1st lieutenant, to be captain, 31st March, 1819, vice, Babcock, promoted.

2d lieutenant Thomas I. Leslie, to be 1st lieutenant, 31st March, 1819, vice, Douglas, promoted.

2d lieutenant William H. Chase, to be 1st lieutenant, 31st March, 1819, vice, Trescott, resigned.

Ordnance Department.

Brevet captain Joseph S. Nelson, lieutenant, to be captain, 13th August, 1819, vice, Tyler, dismissed.

2d lieutenant Charles F. Morton, to be 1st lieutenant, 31st March, 1819, vice, Lyman, resigned.

2d lieutenant John W. Phillips, to be 1st lieutenant, 13th August, 1819, vice, Nelson, promoted.

3d lieutenant Martin Thomas, to be 2d lieutenant, 31st March, 1819, vice, Morton, promoted.

3d Lieutenant L. A. Rigail, to be 2d lieutenant, 13th August, 1819, vice, Phillips, promoted.

Light Artillery.

2d Lieutenant Walter Smith, to be 1st lieutenant, 5th June, 1819, vice, Gates, jr. resigned.

2d Lieutenant Henry F. Evans, to be 1st lieutenant, 8th August, 1819, vice, Shaw, deceased.

Corps of Artillery.

Brevet captain Chester Root, 1st lieutenant, to be captain, 5th March, 1819, vice, Hall, resigned.

1st Lieutenant Gustavus Loomis, to be captain, 7th April, 1819, vice, Scott, deceased.

Brevet captain John Mountford, 1st lieutenant, to be captain, 11th August, 1819, vice, Reed, deceased.

2d Lieutenant Robert C. Brent, to be 1st lieutenant, 5th March, 1819, vice, Root, promoted.

2d Lieutenant Alexander F. Cochrane, to be 1st lieutenant, 7th April, 1819, vice, Loomis, promoted.

2d Lieutenant Thomas W. Lendum, to be 1st lieutenant, 30th May, 1819, vice, Nicoll, resigned.

2d Lieutenant James Spencer, to be 1st lieutenant, 31st July, 1819, vice, Gardner, resigned.

2d Lieutenant I. A. Adams, to be 1st lieutenant, 11th August, 1819, vice, Mountford, promoted.

First Regiment of Infantry.

1st Lieutenant Thomas S. Rodgers, to be captain, 16th March, 1819, vice, Gray, resigned.

1st Lieutenant Waddy V. Cobbs, to be captain, 31st March, 1819, vice, Peychaud, resigned.

2d Lieutenant Jehial Brooks, to be 1st lieutenant, 16th March, 1819, vice, Rodgers, promoted.

2d Lieutenant William R. Jouett, to be 1st lieutenant, 31st March, 1819, vice, Cobbs, promoted.

2d Lieutenant Alexander B. Garrard, to be 1st lieutenant, 26th July, 1819, vice, Seaton, dropped.

Second Regiment of Infantry.

1st Lieutenant Wm. Hoffman, to be captain, 1st May, 1819, vice Sproul, resigned.

2d Lieutenant Elisha Clark, to be 1st lieutenant, 1st May, 1819, vice, Hoffman, promoted.

2d Lieutenant Seth Johnson, to be 1st lieutenant, 1st May, 1819, vice, Palmer, resigned.

Third Regiment of Infantry.

Captain Alexander Cummings, of the 4th Infantry, to be major, 20th April, 1819, vice, Taylor, promoted.

2d Lieutenant Britton Evans, to be 1st lieutenant, 1st April, 1819, vice, Talliaferro, resigned.

Fourth Regiment of Infantry.

Major Z. Taylor, of the 3d Infantry, to be lieutenant colonel, 20th April, 1819, vice, Clinch, promoted.

1st Lieutenant Henry Wilson, to be captain, 20th April, 1819, vice, Cummings, promoted.

1st Lieutenant Richard M. Sands, to be captain, 30th April, 1819, vice, McGavock, jr. resigned.

2d Lieutenant William H. Barclay, to be 1st lieutenant, 20th April, 1819, vice, Wilson, promoted.

2d Lieutenant Lee Slaughter, to be 1st lieutenant, 50th April, 1819, vice, Sands, promoted.

Sixth Regiment of Infantry.

1st Lieutenant Ephraim Shaylor, to be captain, 50th April, 1819, vice, Smith, resigned.

2d Lieutenant James Melvain, to be 1st lieutenant, 30th April, 1819, vice, Shaylor, promoted.

2d Lieutenant Benjamin Fitch, to be 1st lieutenant, 30th June, 1819, vice, Sawyer, resigned.

Seventh Regiment of Infantry.

1st Lieutenant Micajah Crupper, to be captain, 31st May, 1819, vice, Corbaly, resigned.

1st Lieutenant Granville Leftwick, to be captain, 15th June, 1819, vice, Gray, deceased.

2d Lieutenant Henry S. Mallory, to be 1st lieutenant, 31st May, 1819, vice, Crupper, promoted.

2d Lieutenant W. D. Hopkins, to be 1st lieutenant, 15th June, 1819, vice, Leftwick, promoted.

Eighth Regiment of Infantry.

Lieutenant colonel D. L. Clinch, of the 4th infantry, to be colonel, 20th April, 1819, vice, Nicholas, resigned.

1st Lieutenant Samuel Riddle, to be captain, 11th April, 1819, vice, Dorman, deceased.

1st Lieutenant John Maul, to be captain, 8th May, 1819, vice, Youngs, resigned.

1st Lieutenant R. B. Mason, to be captain, 31st July, 1819, vice, Austin, resigned.

2d Lieutenant John Page, to be 1st lieutenant, 1st January, 1819, vice, Kennedy, resigned.

2d Lieutenant John Wheelock, to be 1st lieutenant, 19th March, 1819, vice, Eddy, dismissed.

2d Lieutenant John Philbrick, to be 1st lieutenant, 11th April, 1819, vice, Riddle, promoted.

2d Lieutenant John Krems, to be 1st lieutenant, 8th May, 1819, vice, Maul, promoted.

2d Lieutenant E. Webb, to be 1st lieutenant, 31st July, 1819, vice, Mason, promoted.

Rifle Regiment.

1st Lieutenant Thomas F. Smith, to be captain, 25th April, 1819, vice, Ganit, deceased.

2d Lieutenant David H. Campbell, to be 1st lieutenant, 25th April, 1819, vice, Smith, promoted.

Appointments.

J. Ponte Macmahon, surgeon's mate, 3d infantry, to be post surgeon, 23d July, 1819.

Selah Kirby, to be post surgeon, 27th July, 1819.

Thomas Grimbrede, to be drawing master, military academy, 6th January, 1819.

Second lieutenant J. Edmonson, rifle, to be assistant commissary of subsistence, 23d March, 1819.

Corps of Engineers.

Cadet William A. Eliason, to be 2d lieutenant, 1st July, 1819.

Cadet Frederick A. Underhill, to be 2d lieutenant, 1st July, 1819.

Cadet Cornelius Ogden, to be 2d lieutenant, 1st July, 1819.

Cadet Edward Mansfield, to be 2d lieutenant, 1st July, 1819.

Cadet Henry Brewerton, to be 2d lieutenant, brevet, 1st July, 1819.

Ordnance Department.

Cadet John R. Bowes, to be 3d lieutenant, 1st July, 1819.

Cadet Benjamin Walker, to be 3d lieutenant, 1st July, 1819.

Amos Woodward, late lieutenant, to be 3d lieutenant, 13th August, 1819.

Joseph Buckley, late lieutenant, to be 3d lieutenant, 13th August, 1819.

Charles Thomas, Pa. to be 3d lieutenant, 13th August, 1819.

James Dawson, Md. to be 3d lieutenant, 13th August, 1819.

Light Artillery

Cadet Zebina J. D. Kinsley, to be 2d lieutenant, 1st July, 1819.

Cadet Justin Dimmick, to be 2d lieutenant, 1st July, 1819.

Cadet Daniel Tyler, to be 2d lieutenant, 1st July, 1819.

Cadet Ethan C. Sickles, to be 2d lieutenant, 1st July, 1819.

Cadet John M. Edwards, to be 2d lieutenant, 1st July, 1819.

Cadet Joseph D. Rupp, to be 2d lieutenant, 1st July, 1819.

Corps of Artillery.

Cadet Henry A. Thomson, to be 2d lieutenant, 1st July, 1819.

Cadet William W. Turnbull, to be 2d lieutenant, 1st July, 1819.

Cadet Joshua Baker, to be 2d lieutenant, 1st July, 1819.

Cadet George W. Whistler, to be 2d lieutenant, 1st July, 1819.

Cadet John F. Hamtramck, to be 2d lieutenant, 1st July, 1819.

Cadet James Hepburn, to be 2d lieutenant, 1st July, 1819.

Cadet John L. L'Engle, to be 2d lieutenant, 1st July, 1819.

Cadet Austin Brockenborough, to be 2d lieutenant, 1st July, 1819.

Cadet Jacob A. Dumest, to be 2d lieutenant, 1st July, 1819.

Cadet James R. Blany, to be 2d lieutenant, 1st July, 1819.

Cadet Henry Gilbert, to be 2d lieutenant, 1st July, 1819.

Cadet Wm. Swift, to be 2d lieutenant, 1st July, 1819.

Winthorp D. Ageer, sergeant, to be 2d lieutenant, 13th August, 1819.

Peter Wilson, Pa. to be 2d lieutenant, 13th August, 1819.

John R. Thornton, Ohio, to be 2d lieutenant, 13th August, 1819.

John M. Brooke, Va. to be 2d lieutenant, 13th August, 1819.

Lemuel Gates, Md. to be 2d lieutenant, 13th August, 1819.

John Smith, Pa. to be 2d lieutenant, 13th August, 1819.

Abram Brady, Pa. to be 2d lieutenant, 13th August, 1819.

James Lovell, Mass. to be 2d lieutenant, 13th August, 1819.

Robert Wright, Md. to be 2d lieutenant, 13th August, 1819.

Thomas P. Ridgeley, Md. to be 2d lieutenant, 13th August, 1819.

William Poist, Pa. to be 2d lieutenant, 13th August, 1819.

Charles F. Spering, Pa. to be 2d lieutenant, 13th August, 1819.

James W. Webb, N. Y. to be 2d lieutenant, 13th August, 1819.

Anthony Pickevin; Qr. M. Ser. to be 2d lieutenant, 13th August, 1819.

First Regiment of Infantry.

George W. Templeton late captain, to be 2d lieutenant, 17th March, 1819.

Adam E. Hoffman, Ohio, to be 2d lieutenant, 13th August, 1819.

James P. Harrison, S. C. to be 2d lieutenant, 13th August, 1819.

R. A. L. Codman, Ct. to be 2d lieutenant, 13th August, 1819.

Second Regiment of Infantry.

Cadet Morgan Livingston, to be 2d lieutenant, 1st July, 1819.

Cadet E. B. Griswold, N. Y. to be 2d lieutenant, 13th August, 1819.

Cadet Samuel L. Russell, N. Y. to be 2d lieutenant, 13th August, 1819.

Third Regiment of Infantry.

Horatio N. Baker, to be 2d lieutenant, 13th August, 1819.

Ming Valteau, N. Y. to be 2d lieutenant, 13th August, 1819.

Henry F. Hall, to be surgeon's mate, 23d July, 1819.

Fourth Regiment of Infantry.

John M. Barrett, late lieutenant, to be 2d lieutenant, 13th August, 1819.

Frederic W. Miller, Pa. to be 2d lieutenant, 13th August, 1819.

Pierce Butler, S. C. to be 2d lieutenant, 13th August, 1819.

Fifth Regiment of Infantry.

Joseph M. Baxly, late lieutenant, to be 2d lieutenant, 13th August, 1819.

Sixth Regiment of Infantry.

John Everett, Ky. to be 2d lieutenant, 13th August, 1819.

Andrew O. Waterhouse, Ky. to be 2d lieutenant, 13th August, 1819.

Seventh Regiment of Infantry.

John B. Hobkirk, ordnance, to be 2d lieutenant, 24th July, 1819.

John Stewart, sergeant, to be 2d lieutenant, 13th August, 1819.

Eighth Regiment of Infantry.

Ben. L. E. Bonneville, lieutenant, light artillery, to be 2d lieutenant, 10th March, 1819.

Edward J. Lambert, lieutenant, corps of artillery, to be 2d lieutenant, 10th March, 1819.

Cadet William Malcolm, to be 2d lieutenant, 1st July, 1819.

Cadet John McKenzie, to be 2d lieutenant, 1st July, 1819.

Cadet Jasper Strong, to be 2d lieutenant, 1st July, 1819.

Amos R. Thatcher, Pa. to be 2d lieutenant, 13th August, 1819.

Edward C. Carter, to be surgeon's mate, 15th March, 1819.

Ayers P. Merrill, to be surgeon's mate, 19th March, 1819.

Rifle Regiment.

J. Edmonston, to be 2d lieutenant, 22d March, 1819.

Cadet Roswell Conant, to be 2d lieutenant, 1st July, 1819.

Charles Walker, N. H. to be 2d lieutenant, 13th August, 1819.

By order:

D. PARKER, Adj. & Insp. Gen.

Note. By general order, of this date, lieutenant colonel Brooke, of the 8th, is transferred to the 4th infantry; and lieutenant colonel Taylor, of the 4th, is transferred to the 8th infantry.

Philadelphia Meeting.

A very numerous and respectable meeting of the citizens of the city and county of Philadelphia, friendly to American manufactures, was held in the STATE HOUSE YARD, on Saturday afternoon the 21st of August, agreeably to public notice, when

MATHEW LAWLER, esq. was appointed chairman—and CONDY RAGUET, secretary.

The object of the meeting having been introduced by some appropriate remarks, and stated from the chair, the following resolutions were adopted—

Resolved, As the opinion of this meeting, that the present prostrate state of manufactures and trade, has chiefly arisen from the great influx of foreign manufactures into this country, whereby the productions of the industry of our citizens are debarred from a market, our workmen deprived of employment and reduced to mendicity, while the wealth of the United States is drained to support the industry of foreign nations.

Resolved, That it is expedient to form a society

for the promotion of domestic industry, the members of which shall engage to give a preference to our own productions, *whenever they can be obtained of good quality, and at a fair price, and that a committee be now appointed to carry this resolution into effect.*

The following gentlemen were appointed:

Mathew Lawler	Wm. W. Woodward
John Harrison	Thomas Leiper
Dr. Saml. Jackson	Thos. W. Morris
Thomas Hulme	Dr. James Mease
Condy Ragnuet.	

Resolved, That a committee be appointed to prepare and report, at a future meeting, a memorial to the congress of the United States, praying for such a modification of the tariff, as will protect the industry of our own country, and prevent its being sacrificed to that of foreign nations.

Resolved, That the same committee be a committee of correspondence, to correspond with such persons throughout the United States as are favorable to the support and protection of domestic industry.

The following gentlemen were appointed:

William Duane	Mathew Carey
Seth Craige	Condy Ragnuet
Henry Horn	Jesiah Randall
William Young.	

Resolved, That a committee be appointed to ascertain the state of the manufactories in this city and precincts, at three different periods, viz: during the war in 1814, in 1816, and at the present time, and particularly the number of persons out of employment, together with the weekly value of their labor.

Mr. Duane and Mr. Carey having been appointed to report suitable names, the following were adopted:

Mark Richards, Iron founder.
Jonathan Lukens, Saddler.
James Ronaldson, Type founder.
William Young, Woolen manufacturer.
Seth Craige, Cotton manufacturer.
John Harrison, Chemist.
William Fry, Printer.
Henry Horn, Silver plater.
Patrick McKell, Manufacturer of hosiery.
James Josiah, Manufacturer of glass.
Thomas Fletcher, Do. of Screws, &c.
Franklin Eyre, Ship builder.
Edward Sheldrigne, Hatter.
J. D. Langstroth, Paper maker.
Hugh Henry,

Resolved, That at all future elections, for members of the state legislature or the congress of the United States, we will vote for no man who is known to be unfriendly to the support and protection of domestic manufactures, and that we recommend to our fellow citizens, throughout the union, to adopt a similar line of conduct.

Resolved, That our representatives in congress and in the legislature of the state, be earnestly requested to appear at the next and all future sessions of those respective bodies, clothed in domestic manufactures.

Resolved, That the manufacturers, mechanics, and tradesmen, of the city and county of Philadelphia, be requested to furnish the chairman of the committee, appointed under the fifth resolution, with such information relative to the objects of their appointment as falls within their immediate notice.

Resolved, That this meeting adjourn, to meet

again at the court house, on Saturday, the 4th of September next, at 4 o'clock.

Resolved, That the proceedings of this meeting be published in all the papers of the city.

MATHEW LAWLER, Chairman.

CONDY RAGNET, Secretary.

Mint of the United States.

Abstract of the laws and regulations relative to deposits for coinage, at the mint of the United States, in Philadelphia.

1. Deposites of gold and silver, to any amount (except very small depositories, say under the value of \$50, when inferior to the legal standard) will be received at the mint, from any individual or public body, at any time in working hours; though it is desirable that they should be made during the forenoon.

2. About 12 o'clock on the next day after the deposit is made, when the assayer will have ascertained its quality, the depositor will receive from the treasurer a certificate of its real intrinsic value without any deduction, except a very small one for refining, when the quality is under the legal standard; and this certificate will entitle the owner to receive from the treasurer of the mint its full amount in specie, as soon as it shall have been coined; or the certificate will be immediately taken at most of the banks in the city, and the amount paid, either without any discount, or, at most, not exceeding one-half or one per cent.

Separation of Maine.

BY THE GOVERNOR OF MASSACHUSETTS,
A PROCLAMATION.

Whereas by an act of the legislature of this commonwealth, passed on the nineteenth day of June last, entitled "An act relating to the separation of the District of Maine from Massachusetts proper, and forming the same into a separate and independent state," it is amongst other things provided, "That the inhabitants of the several towns, districts and plantations in the District of Maine, qualified to vote for governor or senators, should assemble in regular meeting, to be notified by warrants of the proper officers, on the fourth Monday of July then next, and in open meeting give in their votes on this question," "Is it expedient that the District of Maine shall become a separate and independent state, upon the terms and conditions provided in the act aforesaid?" And whereas provision is made by said act for the due return of the votes so given, both for and against the measure, into the office of the secretary of this commonwealth, on or before the fourth Monday of August then next, and for the opening, examining and counting said votes by the governor and council: And whereas it is further provided in said act, that as soon after the said 4th Monday of August as the state of said votes could be ascertained, the governor should, by public proclamation, make known the result, by declaring the number of votes appearing in favor of the separation of said district as aforesaid, and the number of votes appearing against it; and in case the number of votes for the measure should exceed the number of votes against it by fifteen hundred, that the governor should, in his said proclamation, call upon the people of said district to choose delegates to meet in convention for the purposes expressed, and in the manner prescribed in said acts.

Now therefore I, John Brooks, governor of the commonwealth of Massachusetts, do hereby de

elare and make known, to all whom it may concern, that upon a careful examination in manner aforesaid, of all the votes for and against said measure, duly and legally returned into the secretary's office, conformably to said act, it appears that the whole number of votes given in favor of the separation of said district, as aforesaid, was seventeen thousand and ninety-one; and that the whole number of votes against it was seven thousand one hundred and thirty-two; and inasmuch as the number of votes for said measure exceeds the number of votes against it, by fifteen hundred, and upwards, I do hereby, by the virtue of the authority given, and pursuant to the requisitions contained in said act, call upon the inhabitants of the several towns and districts now entitled to send one or more representatives to the general court, and all other incorporated towns in said District of Maine, to assemble in town meeting in their respective towns, on the third Monday of September next, to be notified by warrant of the selectmen, and elect one or more delegates, (not exceeding the number of representatives which such town is now entitled to, each town however to be at liberty to elect one,) to meet delegates from other towns within the said district in convention, at the court-house in Portland, in the county of Cumberland, on the second Monday of October next, for the purpose of forming a constitution, or frame of government, for the said district, and for other purposes expressed in said act.

Given under my hand and the seal of the commonwealth at Boston, this twenty-fourth day of August. A. D. eighteen hundred and nineteen; and in the forty fourth year of the independence of the United States of America.

JOHN BROOKS.

By his excellency the governor.

ALDEN BRADFORD,
Secretary of the commonwealth.

The return of votes, as officially counted, shows the following result--

For separation	-	-	-	17,091
Against it	-	-	-	7,132
Majority				9,959

Cotton Trade.

FROM THE NEW YORK AMERICAN.

Among other articles of intelligence furnished by the late arrivals from England, that of more immediate importance to the trade of the United States is the alteration in the rate of, and mode of ascertaining, the duty upon cotton. Hitherto our cottons, sea island and upland, in common with those from the Brazils, and the East and West Indies, have been subject to a specific duty of 8s. 7d. sterling per 100 pounds. This is now to be changed into an ad valorem duty of six per cent. and, when the great difference in the value and qualities of cotton is considered, this would appear upon the whole the most equitable mode of collecting a revenue from this commodity. Its effect upon our cottons, however, when brought into competition with those from India, will prove disadvantageous; as for example--supposing, as we believe is their practice, that the English custom houses levy ad valorem duties on the value of the articles in their markets, 100 pounds of upland cotton may be estimated at 100 shillings sterling, and would consequently pay six shillings duty; whereas 100 pounds of Bengal cotton, which heretofore paid the same duty as uplands, being only worth 50 shillings, will

now pay but three shillings, or one half of the duty upon uplands. Nor will this difference be in any wise compensated by the apparent diminution of the existing duty from 8s. 7d. to 6s. first, because, though diminished upon uplands, it will be considerably enhanced upon sea islands; and the total amount paid upon our cottons will probably remain about the same; and 2dly, because it is upon the low priced cottons particularly that this change of duty will operate the greatest reduction, and these will be chiefly supplied from India. Upon the whole, therefore, we apprehend disadvantage to our cotton trade from this new regulation. While on this subject, we may as well express an opinion which we have for some time entertained, that this is only one of a series of measures long since contemplated by the British government, having for their object to check our resources, and to limit our commerce. We are persuaded that this new encouragement given to the growth and importation of Indian cotton has arisen at least as much from the desire to derive from other sources than the United States this important staple, as from any immediate advantage it was likely to afford to British India; for it is quite susceptible of proof, that it would be more for the interest of England to buy our cottons, even at an enhanced rate, seeing that they are paid for in goods on which the profits of manufacture remain with her, than to buy India cotton, which she must pay for with dollars. The exclusion too, of our bread-stuffs from Great Britain, except on extraordinary occasions--the limitations upon our trade in India--and even the jealousy which, limited as it is, that trade excites among the English merchants--the pertinacious adherence to their navigation act in respect to foreign intercourse with their West India settlements--and the recent augmentation of the duties upon tobacco, bark, and other productions of the United States, all tend to confirm the belief, that the commercial policy of England towards this country is strongly characterized by feelings of political hostility.

"Now though none can assent, more readily than we do, to the position, that it is for the common benefit that commercial intercourse should be free and unshackled, yet it is a position, which it would not be at all wise or profitable for one party alone to act upon,--which may be thus illustrated: Great Britain supplies the United States with various manufactures, amounting to nearly 50 millions of dollars annually; for which she receives in payment such articles only of our produce as are necessary or advantageous to her! and, refusing all others, obliges us to pay the balance in money, or by our profits on commerce to other countries. That is to say, Great Britain may send here any article whatsoever of her produce or manufactures,--and then points out to us the articles in which only she will take her pay. This, certainly, is a one-sided bargain--yet so it is; but from the nature of things it cannot last. The value of our importations from Great Britain, within the last year, will not fall much short of *sixty millions of dollars*; the value of our exports to Great Britain during that year, where these importations are to be paid for, will be under *twenty millions of dollars*. Where is the balance to come from? Our bread stuffs, which would constitute so large an item, are excluded. Something, indeed, will arise from the proceeds, if not the profits, of commerce to other parts of Europe; yet, after all, there will be a great deficiency. This again will be diminished by the enormous losses which have been sustained on the sales of the goods; but, after all allowances, more will remain to pay, than

by the interchange, as it is now regulated, of commercial products, we have the means of paying. Where is the remedy? We must meet restriction with restriction—if England will not take our flour, we must not take her broad-cloth, and be content to eat better bread ourselves, and wear fewer coats. But, we have already extended this subject beyond our limits; and must therefore break off, to return to it at some future day.

Statistics of Virginia.

FROM THE ENQUIRER.

Mr. Wood having contracted with the state to survey and draw a map of the whole, and a chart of each county, wishes at the same time to prepare a sort of memoir upon the condition of each county. The plan is of course of greater breadth of detail, than the elegant and profound "*Notes of Virginia*," It seems rather to correspond in design with sir John Sinclair's Statistics of Scotland; varied, however, so as to suit the particular features of the American society, the past history of the aborigines, &c. &c. It is impossible, while on this subject, to refrain from the expression of a wish we long indulged: viz. to see a new edition of the "*Notes on Virginia*," from the hands of their illustrious author. So many changes have taken place since the date of the work, so many fields have been opened for pushing former discoveries, that a new edition is really a great desideratum to the literature of Virginia. Mr. Wood, without following the plan of this work, will occasionally strike into the paths which it opens. But this plan is yet only in embryo. It will depend on others whether it will ever come to any thing. In the following circular he appeals to gentlemen of information and zeal, in each county, to assist him in collecting materials for it. It was thus, we believe, that sir J. Sinclair got along; and thus finally brought forth a useful work, which, alone and unaided, he never would have been able to have produced. The following are the heads to which Mr. W. invites attention:

John Wood, being at present engaged in making a survey of the counties in the state of Virginia, respectfully solicits information from the gentlemen of the county of — in regard to the following particulars:

1. The tribe of Indians to which the aborigines of the country belonged.
2. The names of the first settlers and year of settlement.
3. The origin of the names of the mountains, rivers, and creeks—If Indian names, an explanation of the terms.
4. Indian antiquities and natural phenomena.
5. Indian and popular tradition in relation to local events.
6. Local incidents of a remarkable nature, tending to illustrate the Indian, French, revolutionary and last wars.
7. The animals, birds, shellfish, insects, and reptiles.
8. The minerals and vegetables.
9. The quality of soil, and the progress and present state of agriculture, with the value of land.
10. Wells and springs.
11. Climate; state of longevity, and prevailing diseases of the county.
12. Population.
13. Peculiar manners and habits.
14. Literature and education.
15. The arts, commerce and manufactures.
16. Religion; the various sects at present in the

county, with the probable numbers attached to each.

17. Law and medicine.

Public Lands.

The distress which pervades every portion of our country is variously accounted for, according to the pursuits of men, and the condition in which they find their own affairs. Few have the magnanimity to acknowledge, if they are wise enough to discover the root of the evil, as it personally respects themselves. When you deal in generals indeed—when you declaim against overtrading, luxury and extravagance, and recommend reform, &c. assent is yielded with willingness, which would be indignantly withheld, if you had said to your audience individually: *you*, sir, have stretched your credit till it cracked; *you* have revelled to your ruin in expensive indulgences; or *you* have lavished, in all the ostentation of purse-proud folly, the thousands for want of which your creditors are heart-broken. A candid confession of error bespeaks forgiveness, and solicits commiseration. He who sees his error has half atoned it. We do not in that light less admire the frankness displayed in the following article, than we respect the boldness and eloquence with which fact and prophecy are united, to enforce a salutary truth, in regard to our national policy, which many of the neighbors of the writer have vehemently opposed. With such advocates on our side, we have not a doubt of the success of the proposition for a change of the mode of disposing of the public lands, which was suggested in the last congress by Mr. King and Mr. Morrow—in themselves a host—and which then received the sanction of a great majority of the senate, though defeated in the other house by the immediate exertions of gen. Harrison, and Mr. Jones of Tennessee. On finding these gentlemen so strongly in opposition to the measure which our conviction so decidedly favored, we had feared that a large majority of the people of the west were against it. We are glad to be relieved from that apprehension, by successive indications to the contrary, among which the following is particularly worthy of note: [Nat. Int.]

From the Kentucky Reporter.

There is one cause in the western country which has operated very powerfully in producing the present state of things, and which must continue to operate in the same way: I mean, *speculations in the public lands*. Capitalists, both real and fictitious, have engaged very extensively in this business. The banks have conspired with the government to promote it; the former by lending money to the speculators, and the latter by its wretched system of selling the lands on credit. Nearly all the money which is paid, goes over the mountains; the government has but little use for it in the western country. As the greater part still remains to be paid, it follows that this cause, like the balance of trade, which has also brought us so much in debt, must continue to operate, with increasing force, as long as the present system continues. If its effect to increase the scarcity of money, and the embarrassments and bankruptcies of the speculators and banks, were its only evils, I should not deplore its continuance; for I have no compassion, neither for the banks nor the speculators when disappointed in their schemes of profit and monopoly; and the scarcity of money, which it is producing will hasten a salutary change in the business of the country, without causing any evil to the people at large; but a mere temporary dullness of times.

But there is another point of view, in which the continuance of this system of credit and speculation is most deeply to be deplored. It is to my mind the most portentous evil that ever existed in America: *it threatens a dissolution of the union.* The debts which it has already produced will be a source of almost endless and infinite embarrassments to the general government. Year after year will indolence be *entreated*, till our strength will enable us to demand it, in a voice of thunder. There is no motive which has an influence so general and powerful over the human mind as *interest*—and hence the maxim, that nothing strengthens a government and secures its permanence more effectually than its being largely in debt to numerous and influential members of the community. Reverse the case—shift the debt to the other side—and will not the effect be reversed also? Let numberless individuals of every description, from the most wealthy, intelligent, and influential, down to those who are the reverse, be deeply indebted to the government of the Union, and will they not be in some measure disinclined to support it? Will they not very naturally become disaffected?—Let nine tenths of these persons reside in a particular section of the union; let that section be pre-eminently well situated for the formation of a separate government; let the existence of the debt depend on the continuance of the union; let the doctrine be advanced and enforced by every press and every orator in that quarter, that the other states had no just and natural right to the property for which the debt was incurred, while those states insist rigidly on an enforcement of the collection; and where will the bonds be found sufficiently strong to hold us together? They do not exist! No people are more patriotic and firmly attached to the government of the union than those of the west; the idea of a separation has never been indulged; it is literally abhorred; but their patriotism and fidelity are not invincible. When it becomes their interest to separate, the plausible arguments and motives by which it may be enforced are numerous and powerful, and will render its influence irresistible. Let not, therefore, the general government credit the people of the west to the amount of fifty or a hundred millions of dollars, if it would not foolishly drive them into a declaration of independence; for that will inevitably be the result.—The Rubicon is not yet passed; but we now stand upon the shore, and it depends on the measures to be adopted by the next congress, whether we shall remain a peaceful, happy and united people, or advance, with a steady and certain pace, to civil war and a dissolution of the union.

FRANKLIN.

Foreign Articles.

GREAT BRITAIN AND IRELAND.

The British government brigs Hecla, lieutenant Parry, and Griper, lieutenant Hoppner, sailed from Sheerness, May 18, and from Scilly on the 24th, for Davis's Straits, in search of the north-west passage.

At the Doctor's Commons, on the 10th of July, a suit was brought by Mrs. Turner against her husband F. M. Turner, esq. for a separation, on the ground of adultery. The fact of adultery was proved, and the court pronounced sentence of separation. The husband, who was present, was so much affected at the sentence, that he burst into a flood of tears.

Sir William Cornwallis, vice admiral of England, died on the 5th of July.

The 5th dragoon guards have been sent to the neighborhood of Birmingham and Coventry, to "protect the people from themselves."

Wooler, the editor of the Black Dwarf, has been beaten, for some remarks he published about the York Hussars.

Don B. Rivadaria has arrived in London as a deputy from the government of Buenos Ayres.

We have a pompous account of the christening of the daughter of the duchess of Kent. The "royal gold font" was used on the occasion.

An order of council of the 12th July, prohibits the exportation of gunpowder, saltpetre, or any sort of arms and ammunition, to the ports within the dominions of Spain.

Parliament has granted 50,000*l.* to aid emigrants to the Cape of Good Hope.

Average price of corn in England and Wales per quarter, for the return ending July 3, wheat, 70s 11d; rye 48s 2d; barley, 29s 5d; oats 27s 4d; beans, 49s 10d; peas 50s 8d.

Stocks, July 16,—3 per cent. consols 67 7-8, 67 1-2. July 22, 69 1-4.

An *Orange* lodge parading the streets of Liverpool, was assailed by a parcel of Irishmen with stones and clubs—a considerable battle took place.

Reform. The ministers are alarmed, or *seem* to be so, at the designs of the reformers—the latter may be probable; that, as they cannot feed the people, they may be better justified in using severe measures to keep them quiet.

The *Liverpool Mercury* observes "The ministerial papers are continually directing our attention to the failures of the banks of the U. States, and to the commercial distress that is acknowledged to be prevalent in all the principal seaports. They forget to state that this distress is chiefly among the British mercantile connexions in America, and is to be attributed to the contagious nature of that distress, which is so severely felt by the manufacturing and trading interests of this country."

Travelling. The stages between Liverpool and Nottingham, a distance of 100 miles, have performed the journey in 8 hours and a half, including stoppages!

New Holland. Seriously written essays are publishing in the British papers, to encourage voluntary emigrations to New South Wales, instead of the U. States.

Parliament. There had been much discussion in the house of commons on the subject of bribery at elections. Mr. *Martin* said "he was as willing as any one to put down bribery; but when members proceeded against bribery in others, *why did they not forbear to practise it themselves?*" This remark produced terrible cries of order from the ministerial benches, and Mr. *Wynn* observed, that "if the honorable gentleman dared to charge him or any other member, he would immediately bring the charge before the house." Mr. *Martin* very coolly replied, that he had no specific charge to make, but that if the professions of members were sincere, they should take the only effectual means that could check bribery.

Fisheries. A London paper says—It appears almost incredible, but it is undoubtedly true, that in the comparatively short space of three centuries, the enormous sum of three hundred millions sterling worth of fish, had been caught by the Dutch, on the coast of Scotland, whilst the natives during this time have been doing little or nothing, although the fish were almost at their doors.

Small pox—146 persons died at Norwich of this loathsome disease, in four weeks.

Prorogation of Parliament.

The following speech of the prince regent, proroguing parliament to the 24th of August, was delivered on the 13th July:—

"My lords and gentlemen,

"It is with great regret that I am again obliged to announce to you the continuance of his majesty's lamented indisposition.

"I cannot close this session of parliament without expressing the satisfaction that I have derived from the zeal and assiduity with which you have applied yourselves to the several important objects which have come under your consideration.

"Your patient and laborious investigation of the state and circulation of the currency of the kingdom demands my warmest acknowledgments, and I entertain a confident expectation that the measures adopted as the result of this enquiry, will be productive of the most beneficial consequences.

"Gentlemen of the house of commons,

"I thank you for the supplies which you have granted for the service of the present year.

"I sincerely regret that the necessity should have existed of making any addition to the burdens of the people, but I anticipate the most important permanent advantages from the effort which you have thus made for meeting at once all the financial difficulties of the country; and I have derived much satisfaction from the belief that the means which you have devised for this purpose, are calculated to press as lightly on all classes of the community, as could be expected, when so great an effort was to be made.

"My lords and gentlemen,

"I continue to receive from foreign powers the strongest assurances of their friendly disposition towards this country.

"I have observed, with great concern, the attempts which have recently been made in some of the manufacturing districts, to take advantage of circumstances of local distress, to excite a spirit of disaffection to the institutions and government of the country.

"No object can be nearer my heart than to promote the welfare and prosperity of all classes of his majesty's subjects, but this cannot be effected without the maintenance of public order and tranquility.

"You may rely, therefore, upon my firm determination to employ for this purpose the powers entrusted to me by law; and I have no doubt that on your return to your several counties, you will use your utmost endeavors in co-operation with the magistracy, to defeat the machinations of those whose projects, if successful, could only aggravate the evils which it is professed to remedy, and who, under the pretence of reform, have really no other object but the subversion of our happy constitution."

Then the lord chancellor by the prince regent's command, said,

"My lords and gentlemen,

"It is the will and pleasure of his royal highness the prince regent, acting in the name and on the behalf of his majesty, that this parliament be prorogued to Tuesday the twenty-fourth day of August next, to be then here holden: and this parliament is accordingly prorogued to Tuesday the twenty-fourth day of August next."

Reform and the reformists.

It will be seen, by a reference to the regent's speech, that the government shews much alarm at the spirit manifested by the people of England. To afford a view of this subject we have collected the following items:

A specimen of the times—Fifty-two clothiers have,

during the last twenty years, carried on business at a borough town in Wiltshire, and at their various manufactories, afforded employment to a numerous population; but now, the inhabitants of the place have sunk into pauperism and wretchedness; for of their 52 employers, 9 are dead, 17 have failed, 24 have declined, and only 2 remain in business. Nor is this a singular case, for there are, within eight miles of the above place, four other manufacturing towns, in which the depression of trade has been equally severe.

Petitions from all parts of the country were poured in to parliament, praying for reform. The marquis of Tavistock had presented one signed by 1800 of the most respectable inhabitants and manufacturers, praying that they might be permitted to have a voice in the councils of their country—Sir Francis Burdett was also making exertions for the same object.

Arrests. Sir Charles Walseley, according to the account which is given of his speech at Stockport meeting, in *Wheeler's Manchester paper*, announces himself to the people as having commenced his career of reform in France, where he was one of the first to mount the breach in the attack on the Bastille. He has been arrested.

The Rev. Mr. Harrison was taken up just after he had harangued the people at Smithfield.

Sunday school. A respectable Leeds paper says—"A Sunday school has been established for some time at Manchester, for the purpose of teaching children *"to hate kings and priests."* It is conducted by reformers.

Female reformers. At a meeting of reformers held at Blackburn, a deputation from the Blackburn Female reform society, mounted the stage to present a cap of liberty and an address to the meeting.—The latter was read, and in it the women composing the society "pledged themselves to instil into the minds of their children a hatred of civil and religious tyranny."

During the last week a reforming female visited Leigh and the neighborhood, to disseminate revolutionary principles in the families of the work people, to whom she expatiated on the necessity of altering things, and descanted fluently on the usual topics of reform.

But perhaps the most singular, as it was certainly the most degrading part of her mission, was to instruct them in the manufacture of the *revolutionary pike*; a formidable weapon which has been introduced into various parts of this neighborhood, and the existence of which now remains no longer a matter of doubt. She was very precise in her directions.

Correspondence. The societies for reform are very numerous, and regularly correspond with each other—120,000 men are enrolled in them in the counties of York, Lancaster and Chester. A declaration made by the deputies from twenty nine places affirms, that the distress of the above mentioned districts exceeded those of any preceding period of their history, and that it is much too great for human endurance, inasmuch as want of employment in some cases, and lowness of wages in others, in conjunction with the high price of necessaries, produced instantaneous death not unfrequently, or some ravaging disease, which, in its horrible progress, bore down all before it.

The declaration then proceeds to state, that the petitions and remonstrances of the people, for the redress of grievances, had produced no good effect; but, on the contrary, derision, taunts, insults and a suspension of the fundamental principles of the constitution; and therefore recommends the formation

of union societies in every town and village in the kingdom, for the purpose of acquiring and diffusing political information; and the frequent holding of public meetings, in order to connect, complete, and harmonise the political understanding and feelings of the people.

Mr. James Mann (one of the persons who had been arrested under the suspension of the *habeas corpus act*) declared, that unions, on the principles of radical reform, were formed in almost every part of England.

Meetings have been held at many places. Some sketches of the speeches delivered at them are given, and manifest a decided revolutionary spirit. The people are loudly called upon to stand by one another.

"The London papers of the 23d July, give an account of the proceedings of the court of common council, held at Guildhall the preceding day, in the course of which it was declared by the lord mayor, that information had been laid before him, *on oath*, of the existence of a conspiracy, the object of which was to excite the assemblage in Smithfield to acts of open violence, and even bloodshed, had it not been checked by the measures of precaution adopted by the government and magistracy."

The meeting at Smithfield held on the 21st of July, is estimated to have consisted of between 50 and 70,000 persons.

The following were the resolutions passed at it:

1. Resolved, therefore, that every person born in Great Britain and Ireland is, by *inheritant right*, free.

2. That for the protection of the life, the liberty, and the property of every member in a free state, it is expedient and essential that a code of laws should be established, and an executive administration thereof provided.

3. That as life, liberty, and property, are equally dear to every man, whatever may be his rank, condition, or attainment, it follows of necessity, that every man in a free state, is equally entitled to a voice in the enactments of such laws, and their provisional administration.

4. That to support the just expenses attendant upon a due administration of the law, fair proportioned contribution from every member of the community ought to be equitably levied.

5. That the rights of all being equal, no freeman in Great Britain or Ireland ought to be taxed without his previous admission to a participation of universal right.

6. That this universal right may be exercised in the choice of representatives, to be fairly and freely nominated or chosen by the voices or votes of the largest proportion of the members of the state.

7. That the persons who at present compose the British house of commons have not been fairly and freely nominated, or chosen, by the voices or votes of the largest proportion of the whole members of the state.

8. Therefore, that any laws which may hereafter be enacted, or any taxes which may be imposed by the present British house of commons, ought not, in equity, to be considered obligatory upon those who are unjustly excluded from giving their voices or votes in the choice of representatives.

9. That from and after the first day of January, 1820, we cannot, conscientiously, consider ourselves as bound in equity by any future enactments which may be made by any persons styling themselves our representatives, other than those who shall be fully, freely and fairly chosen by the voices

or votes of the largest proportion of the members of the state.

10. That, with a view to accelerate the choice of legal and just representatives of the whole people, we will cause books to be forthwith opened in the different parishes of this metropolis, for the enrolment of the names and residence of every man of mature age and sound mind resident therein, so as to enable him to give his vote when legally required so to do.

11. That an humble address be presented to the prince regent, requesting he will be graciously pleased to issue his writs to the sheriffs and other returning officers of the different counties and cities of this empire, to cause representatives to be chosen agreeably to the foregoing resolutions; and to assemble in parliament in January next.

12. That it is the right of every individual to retain and express his religious opinions, without being answerable to any human tribunal: and that it is wicked, intolerant, and unjust, to impose civil disabilities on account of any difference in religious profession.

13. That this meeting has witnessed with the deepest sympathy and regret the sufferings of our fellow countrymen of Ireland, professing the Catholic faith, who, by the unjust, arbitrary, and cruel laws of a self-elected legislature, have been long subjected to the severest miseries which one body of men inflict upon another.

14. That the applications for Catholic emancipation, often repeated, and almost barbarously refused, prove beyond all doubts, that the only means by which the Catholics can hope for the removal of their disabilities, is by uniting with the people of England and Scotland, and demanding radical reform, which, by restoring to all men equal rights, will secure to our Catholic countrymen the free enjoyment of all they ask.

15. That an address, expressing these our sentiments, be prepared by the committee, signed by the chairman and secretary, and transmitted to the leading members of the Catholic body in Ireland, for the purpose of general circulation.

16. That this meeting hereby solemnly proclaim their sincere desire for an union of all sincere reformers, and they now offer the olive branch of peace and good will to those whom the imperious calls of domestic, private, or public affairs, compel to remain passive well wishers, to the cause of their brother sufferers; and above all to the British soldier, that he may not be driven by the fear of starvation, the horror of a lacerated back, or the loss of life by a drum-head court-martial, to deeds in defence of the system which his soul abhors.

17. That this meeting solemnly disclaims the debt impudently and falsely called national; that as it was contracted by the boroughmongers, without the consent of the people, let the boroughmongers pay the principal and interest of the same.

18. That this meeting unequivocally, disclaim any share or participation in the disgraceful and cowardly acts of the boroughmongers, in placing the brave Napoleon a prisoner, to perish upon a desert island, shut out from human society, and torn from his only son, whilst he is exposed to the brutal insolence of a hired keeper.

Forty thousand persons assembled at Birmingham, and passed certain resolutions in favor of general suffrage and annual parliaments. This great town has not any part in the representation in parliament.

Preparations.—The military throughout England are ordered to hold themselves in readiness to act. The *spy-system* is also extensively encouraged. Pre-

vious to the meeting at Smithfield, all the troops about London were under arms, and many thousand persons sworn in as special constables; there seems to have been a very great alarm: a regiment of lanciers paraded the streets—the firemen were in readiness, many shops shut up, the females and children removed from the neighborhoods supposed to be objects of enmity—an inflammatory hand-bill was circulated; the lord mayor, &c. was on the alert; but, after all, the people having passed their resolutions, went home quietly.

There was a great meeting at Stockport. Many spies were presumed to be present, and one of them was killed on the spot. The freedom of speech used on this occasion by the chairman, sir Charles Wolesley, bart. was remarkable. He pronounced Castlereagh and the rest to be—*what they are*; that Sidmouth was guilty of high treason, &c. The cap of liberty was raised, and nailed to the flag staff.

Accounts, three days later than any of the preceding, have been received—there had not been any new meetings, and all was quiet in the neighborhood of London. The streets of Leicester had been paraded with “thousands” of the frame-work knitters, men and women, calling out “pity the distressed!”—they ask employment.

The London Times says that the project of those who got up the meeting at Smithfield, was to burn the whole city of London, and murder all its inhabitants!

FRANCE.

The royal court of Paris has been occupied with the following problem:—“Can a child born nine months and nine days after his father's death, succeed him?” The preliminary tribunal, had already decided in the affirmative. The decision of the royal court was also in the affirmative.

The suicides in Paris, in January, February, March, and April, amount to 124; 41 more than in the last year.

Two thousand four hundred quintals of locusts had been destroyed in Arles, France, in the course of three weeks.

It was believed that marshal *Soult* would be elected to the chamber of deputies, and thence be transferred to the ministry of war.

Madame Blanchard.—Melancholy Catastrophe.—The extraordinary fete which was some time announced at Tivoli, took place on Monday night, and has been signalized by a frightful catastrophe. Among the numerous entertainments which had been promised to the public, was the ascent of madame Blanchard in a luminous balloon, ornamented with artificial fireworks. Accordingly at half past ten o'clock, this intrepid aeronaut, dressed in white, having also a white hat with feathers, entered the boat. The signal being given, the balloon rose gently, but by throwing out ballast madame Blanchard caused it to ascend more rapidly. The Bengal firepots illuminated this brilliant ascent. The aeronaut waved her flag, and the air resounded with acclamations. Suddenly the balloon entered a light cloud which completely extinguished the firepots. Madame Blanchard then ignited the artificial fireworks, which produced the effect expected, when some of the flying fuses were seen to direct themselves perpendicularly towards the balloon, and the fire communicated with its base. A frightful brilliancy instantly struck terror into all the spectators, leaving no doubt of the deplorable fate of the aeronaut.

It is impossible to paint what passed at this moment at Tivoli. Cries of agony burst forth in every direction: a great number of females suffered violent

nervous attacks; and consternation was painted upon the countenances of every one.

The gendarmes instantly galloped towards the place where it was presumed she would fall, and the lifeless body of madame Blanchard was in a quarter of an hour conveyed to Tivoli. She fell from a height of more than 400 feet, in the Rue de Provence; the body was still in the boat, being caught in the cords by which it was attached to the balloon.

We need hardly add, that at the general command all the amusements ceased, and that no more fireworks were played off. A collection was instantly opened in favor of madame Blanchard's family. The unfortunate woman was about 45 years of age.

Gaz. de France.

Paris, July 11. The duke de Bassano, inscribed upon the list of 38, has obtained permission from the French government to take up his residence at Geneva.

—, June 17.—The floods of the liberty of the press are going to inundate us. Three new daily papers appeared yesterday—*The Drapeau Blanc*, by Marsinville, whom our Ultras dread, while they caress, as they see in him the Marat of counter-revolution; the *European Censor*, which has yet displayed nothing but an anti-military spirit; and the *Renomme*, by B. Constant, who declares for constitutional monarchy.

SPAIN.

It seems amply confirmed that don Onis is appointed prime minister of Spain. Many changes have taken place in the military, since the rupture in the cabinet. A rumor is circulated that Ferdinand “the valiant,” intends to embark with the grand expedition, and that he will privately depart from Lisbon! The time that the expedition shall start is fixed for the 1st of August!

From late London papers.—Letters have been received from Madrid of the 7th inst. and we understand the Spanish ambassador has received dispatches by the same conveyance from his court. We are enabled to state, that the treaty for the cession of the Floridas to the United States had not up to the beginning of this month, been ratified by Ferdinand, and considerable doubt seems to exist in Madrid whether it would receive his final sanction. Should the treaty be ratified, it was expected that M. Onis immediately afterwards would be appointed minister of foreign affairs. M. Salmon was in high favor with the king, and had been nominated minister of the interior for a permanency.

Letters from Cadiz of the 27th June, state, that the Washington, of 80 guns, United States' ship, remained at that port, and it was understood that she would not sail from thence until her commander had obtained the decision of the Spanish government, with regard to the treaty respecting the Floridas.

The following is extracted from a Madrid article.—“We have just learned that the bill relative to enrolling and arming in favor of the insurgents, has been adopted by the British parliament. Lord Castlereagh unequivocally proved that the measure was the necessary consequence of principles of neutrality; he cited, in support of his opinion, the conduct of the United States, which has adopted a resolution tending to the same end. It is unfortunate for us, that his lordship did not earlier observe the evidence of these principles of neutrality; and since it has cost us the two Floridas to induce this acknowledgment on the part of the United States, will the cession of the island of Cuba be the price

of the tardy conviction of the English government? It is noble to be just when we are powerful; but it would be still nobler, not to exact payment for an act of justice."

The London Examiner, says—The late change in the Spanish ministry is attributed by some to the impatience of the king at the delay in fitting out the Cadiz expedition, and the non-performance of other impossibilities of that sort; by others, to the victory obtained by the British influence over that of Russia, the latter being understood to have procured the appointment of the late ministers.—There have been for some time rumors of the intended cession of the island of Cuba to England, as an equivalent for the injury our interests have sustained from the acquirement of Florida by the United States, and this is also conjectured to be connected with Ferdinand's late vagary. It is not at all improbable that the English government may get Cuba from Spain, and add it to our overgrown and costly foreign possessions, in the vain hope of opposing the progress of American aggrandizement.

ITALY.

A confederation of the states of Italy, under the protection of the emperor of Austria, similar to that of the Rhine, is spoken of.

IONIAN ISLANDS.

Constantinople, June 1. Sir Robert Liston, the ambassador of his Britannic majesty to the Porte, has just concluded an important treaty, after three years negotiation, by which the Divan at length recognizes the arrangements concluded by the four allied powers, respecting the Ionian Islands. However, it appears not yet to have resolved upon giving its formal concurrence to the treaty of the 5th of November, 1815, which will satisfy England only by halves. The new treaty replaces the fortress of Parga and its dependencies under the dominion of the sultan, who on his side, recognizes the inhabitants of the Ionian Islands, as under the protection of Great Britain. This treaty was signed on the 24th April; and it is therefore supposed that Parga will be very shortly delivered up to the Turkish authorities.

NETHERLANDS.

Brussels, July 12. It is said that the famous Fouché has obtained leave to reside in the northern provinces of the kingdom.

London, July 14. Intelligence from Brussels, dated the 5th inst. states, on the authority of accounts from the French frontiers, that some resistance had been shown to the levy of recruits in Burgundy, in consequence of which, it was found necessary to call in the aid of the Gendarmerie.

GERMANY.

An attempt has been made to assassinate the president of the duchy of Nassau. The culprit avowed his design to rid his country of its oppressor.

Vienna, July 7.—The execution of count Belesmay, for parricide, took place at Pest, in Hungary, in the presence of a great concourse of spectators. The people had got together a large quantity of stones, with which to pelt the executioner if he had failed to strike effectually; but though trembling, he performed his office with sufficient adroitness. The criminal behaved with much levity. He was dressed with elegance, and had a rose stuck in his breast, which he threw to a lady who was looking out of a window to see him pass. He made a will, by which he has given legacies to his mother, his betrothed bride, and other persons. He accepted of the aid of religion, but with indifference.

Dresden, June 23.—An event, which happened

here last month, continues to occupy public attention. A functionary who was generally esteemed, made a declaration before the proper judicial authority, that he assassinated his first wife 20 years ago—He has surrendered himself a prisoner, and his indictment is preparing.

SWITZERLAND.

A considerable body of Swiss are on their way to make a settlement in Brazil. What comforts can they expect under such a government as that of the silly king of Brazil's?

PRUSSIA.

The king of Prussia has appropriated one hundred and fifty thousand dollars to the relief of the flax spinners and weavers of Brandenburg and Silesia, who were in the greatest distress.

The thermometer at Berlin on the 6th of July, stood at 29 degrees of Reumer (94 1-4 Fahrenheit) in the shade; and 33 in the sun.

Intelligence from Berlin, of the 13th July, states, that recent investigations in Prussia and other countries, have proved the existence of secret democratical societies, whose proceedings are of a treasonable nature. A complete plan of a republican constitution had been seized in Germany.

SWEDEN.

Many rumors give us some reason to believe that a design exists to *illegitimize* the "French sergeant, Bernadotte," as the British used to call him, and give the throne of Sweden to prince Gustavus, son of the late king.

RUSSIA.

A formidable army is assembling in Poland, by the emperor of Russia.

The heat had been very oppressive in the north of Europe. At St. Petersburg, the thermometer had risen in the shade to 88. At Copenhagen the heat had been as great as in the West Indies.

Riga, June 14.—An event not unparalleled indeed, but very rare, has lately occurred here. During a strong north west wind, an immense quantity of young caterpillars fell upon the great meadows on the south bank of the Duna, and devoured the grass, with the roots, upon a very extensive tract. As soon as this was perceived, the people employed all the means they could think of to destroy them; they dug ditches, swept the insects together in heaps, and crushed them, &c. but without much diminishing their numbers. On the fourth day they crept into the earth, and changed into chrysalises, so that we have the bad prospect of seeing them return as butterflies, and propagate their species among us.

POLAND.

The emperor of Russia is said to favor the project of uniting the provinces formerly wrested from Poland by Russia, to his new kingdom. This is said to be opposed by his own council, and to trouble the courts of Vienna and Berlin, lest the people of the despoiled provinces in their possession should be desirous of uniting themselves to their old country. There is a freedom of the press at Warsaw that is very pleasing. The editors of a liberal journal for opposing certain police regulations, have been much cherished by the people.

NEWFOUNDLAND.

There has been yet another dreadful fire at St. John's—120 houses and stores were consumed. The loss of property is estimated at 150,000 sterling.

CANADA.

At the late assizes, held at Niagara, Upper Canada, Robert Gourlay, well known for his political writings, was tried and convicted of a misdemeanor, and sentenced to be banished to the United States.

The total number of settlers arrived at Quebec this season, up to the 24th ult. is 9,513.

HAYTI.

It is asserted in a Paris article, that an envoy from president Boyer has arrived in Paris, with propositions for a treaty, by which the dispossessed colonists of the republican part of St. Domingo, shall recover the value of their property, by installments, in about twenty years. King Henry is less disposed to make any arrangement. The session of the French legislative chambers was to close July 24.

SOUTH AMERICA.

Morillo is urgently calling upon Spain for assistance. The despatches lately received at Madrid have not been very comfortable to the court.

It is stated that the patriots have beaten the royalists near Cumana, and that that city is blockaded by land and sea. A schooner is reported to have arrived at Aux Cayes from England with 5000 stand of arms for McGregor, who is there—1500 men from England or Holland were expected to join his standard.

CHRONICLE.

The president and his family left the seat of government on Saturday on a visit to his farm in Virginia.

New York.—The northern canal is progressing with much expedition. The locks at Whitehall and fort Edward, are not exceeded for strength and durability, by any in Europe.

Hurricane. There was a dreadful hurricane at the bay of St. Louis, and the parts adjacent, on the 28th July. The U. S. schooner Firebrand was lost, and forty-five persons on board of her at the time, were supposed all to have perished. The schooner Thomas Shields was also capsized, and all her hands lost. The officers on board the Firebrand were lieut. Gray, and midshipmen Perkins and Adams. All the houses at the bay of St. Louis were seriously damaged; many of them blown down. The whole coast from the Regoulettes to Mobile was ravaged by the storm—presenting a scene of desolation covered with the fragments of vessels and houses, the bodies of human beings and the carcasses of cattle.

Fourth of July at Paris. The anniversary of our independence was celebrated at Paris, as usual, by our citizens there: G. W. Erving, esq. in the chair, Dr. Seybert and Mr. Barnett, consul at Paris, vice presidents. Among the guests were the marquis de la Fayette and Mr. Gallatin. The toasts were truly American.

Married, on the 17th ult. at Fort Hawkins, capt. Lawshe, of the U. S. army, to Miss *Cherokee* Hawkins, daughter of the late col. Benjamin Hawkins.

Pirates. We have noticed in the last vol. page 430, the execution of a pirate at Jamaica. Several others have been hung at New Providence, among them the captain of a crew. They had captured the schooner Contradiction of Baltimore and used her as a cruiser. Among their depredations, a case like that for which Dupuis was executed, occurred—they came across a small vessel with a man and his wife on board; the first was exceedingly abused and at last in mercy shot through the head and thrown over board—the latter violated in the most beastly manner.

The rev. Samuel Stanhope Smith, president of Princeton college, died at Princeton on the 21st ult.

Perkins' Inventions. The following is an extract of a letter from the commander of the ship in

which Mr. Perkins lately went passenger to Liverpool. "Jacob Perkins, Esq. made during the calm weather, many experiments with his instruments to prove the compressibility of water by the same element, which fact was established by immersion of the machine from 600 to 3600 feet below the surface of the sea. His *Bathometer* is a perfect *sounding instrument*, and is as true in a ten knot breeze as a calm—indicating any fathoms the machine is under the surface of the sea.

Joseph Lancaster.—Extract of a letter from president Adams, to a gentleman in Cambridge, on the subject of Mr. Lancaster's lectures, dated

Quincy, July 19.

"I have heard friend Lancaster, with pleasure. He is an excellent scholastic and academical disciplinarian. He forms his companies into battalions; battalions into regiments; his regiments into brigades; and teaches them all his tactics, with as masterly skill as Frederick or Napoleon could have done; and all this without a whip, ferule or box on the ear. All this by the simple action of that main spring of human nature, *emulation*. How much more honorable to poor human nature is this system than the old one of scolding, snarling, growling, boxing and whipping? I believe his itinerant "holdings forth" will do more good than Whitfield's did seventy years ago. I was really delighted and enlightened by that lecture.

A place of call and deposit. The police of New York have appropriated a part of the old alms house as a place at which the benighted stranger or citizen may knock and enter, receive his supper, lodging and breakfast, and depart without a question being asked, unless such visits are too frequently repeated. No doubt, a great deal of suffering is prevented by this liberal arrangement.

Good appointment. Our gallant townsman, col. Nathan Towson, has been appointed paymaster general of the army, vice Robert Brent, esq. resigned on account of ill health.

Land privateering. We noticed in our last paper, on the representation of capt. Riley, the conduct of a set of wretches on the Pittsburg road. A new case is stated. They actually arrested the passage of the mail, stopping it by force with one of the contractors at the head of the mob, who snapped a pistol at one of the passengers in the stage, for resisting the demand of the *turnpikers*. Prompt measures will no doubt be taken to bring these villains to justice.

Spanish outrage.—From a late London paper. On the 1st of June, the Brunswick, schr. from this port to Genoa, being then off Cape St. Maria, was hailed by a Spanish vessel, and a boat subsequently sent alongside to learn the particulars of her destination and cargo, which was correctly given. About five minutes after the boat had accosted the English vessel, the Spaniard, without any previous intimation, fired a shot into her, which severed the body of Mr. Walker, passenger, and wounded two others, his servant, Alexander M'Castle, in the right arm and in the face, and Charles Waterson, a seaman, in the eyes. After this unprovoked act of aggression, the captain of the Spanish vessel sent an officer on board to make an apology for what he endeavored to represent as an accident, and to offer assistance. This, however, was declined by the Brunswick, who pursued her voyage, and arrived safely at Genoa on the 13th ult. The Spanish ship was said to be a frigate, and her name Bronte, formerly a Russian vessel of the same class.

NILES' WEEKLY REGISTER.

NEW SERIES, No. 2—Vol. V.] BALTIMORE, SEPTEMBER 11, 1819. [No. 2—Vol. XVII. WHOLE No. 413

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

The title page and table of contents for the last volume, accompanies the present number.

The long statement of the comptroller of New-York, relative to Mr. Tompkins' accounts, has excluded several things that we wished to have published in this paper. "Both sides" of the case are now before our readers.

Some remarks on an article, inserted in page 396, of the last volume, headed "Antediluvian Antiquities," has caused us to refer to it and to observe that we neglected to acknowledge the paper from whence we obtained it—which was the *New-York Gazette*.

From Spain, we have not any thing new relative to our affairs. But we shall soon hear whether the treaty for the transfer of the Floridas has been ratified or rejected, according to its condition as to time. The British paper teem with paragraphs on the subject, and they seem to count upon *Cuba* as their own, if *Florida* is delivered to us. The great advantages to be derived from the possession of this valuable island, is much commented upon—but it is chiefly esteemed as being a check upon the United States. This is useless, and the attempt is vain: it is no matter that we are now in a state of dependence on Great Britain, that the choicest fruits of our labor settle in her lap, that she has nearly destroyed our commerce and thereby affected our naval resources—the time *must* come when domestic industry will be encouraged, when we shall be enabled to contend with her for our "rights on the ocean," as well as those on the land, by force of arms, on a refusal to listen to reason.

HEALTH OF BALTIMORE.

Interments for the week ending yesterday morning, Friday the 10th of Sept. at sun-rise.

	Malignant diseases.		Other Adults.	Children.	Total deaths.	
	1819.	1860.			1819.	1860.
Saturday, Sep. 4,	9	10	9	10	19	23
Sunday,	5	4	9	5	8	13
Monday,	6	2	9	3	8	11
Tuesday,	7	10	10	9	11	20
Wedn'sd'y,	8	8	9	10	9	17
Thursday,	9	5	19	13	11	24
Friday,	10	4	6	6	4	10

114 180

By adults is to be understood all persons of, or more than 21 years of age.

The last column shows the whole number of interments in Baltimore, on the same days of the month, when the yellow fever raged in this city in 1800. But to estimate the relative effects of the disease, we should bear in mind that our total population was not much more than 30,000, of whom at least 10,000 had left the city on the 7th of Sept. in that year. This seems to be a very reasonable allowance—for we are told by many who remained, that at that time in the month a man might pass a square or two through the now bustling parts of the town, without meeting a solitary person; and, in the populous neighborhood in which the REGISTER is printed, it is stated, that only two families remained

—now, no one, that we have heard of, has removed from it on account of disease, and the *present* population of Baltimore must be more than 65,000. This city is sometimes divided into three parts—Baltimore west of the Falls, Old Town and Fell's Point: the first and second, which contain about nine tenths of the whole population, are healthy—rather more so than is usual at this season of the year; and a considerable part of the latter still teems with people and is not much affected by disease. The fever has so far chiefly spent its rage on a very small spot, a remote corner of the Point—and, for the subjects that it had to act upon, has been marked with a peculiarly malignant character: in Baltimore west of the Falls and in Old Town, generally, every sort of business goes on as usual, the markets are bountifully supplied, and perhaps not 50 families, in the whole, have entirely removed on the apprehension of danger. The editor does not know of *one* family that has so abandoned the city from the parts spoken of, on account of the fever, though he might count up half a dozen, the women and small children of which have gone into the country. That part of the point where the poison mainly prevailed, is now nearly deserted; and some entertain a hope that if we have a season of *steady weather*, free from the intense suns of the day and severe damps of the night, the disease may pretty soon be checked, if not eradicated. But it seems to spread a little, very slowly indeed, from its principal seat: yet we are assured by several respectable physicians and others, who ought to be possessed of the facts, that no *original* case of yellow fever has come to their knowledge in Baltimore west of the Falls or in Old Town, since the 10th of last month, when there were a few cases in or from the neighborhood of Smith's wharf! Nor is there any evidence afforded that it is *contagious*, though many from the Point have died of it, in healthy neighborhoods. Such, we believe, is a true representation of our present condition. Whether we shall yet be driven from our homes by the pestilence, is known only to Him who governeth all things. It is grateful however to add, that our physicians generally hold an opinion, that the prevailing disease has assumed a milder character,—that it yields more freely to medicine, and may be commonly cured, if *promptly attended to*.

Since the above was in type we have received the following—

"At a meeting of the district Medical and Chirurgical society of Baltimore, held on Monday the 6th inst. it was resolved, that a committee of three be appointed to enquire into the existing condition of the health of the city, as it regarded the *locality and contagious* character of the disease, supposed to be prevalent at present among us, and to report the same.

The society held an adjourned meeting on Wednesday afternoon at the city library room—when the following report, was received and adopted un-

*We do not wish to be understood as saying that those parts have been wholly free from the common autumnal fevers, some of which have terminated fatally. But their number has been less than usual.

animously by the members of the society present, as also, by those members of the Medical faculty of the city, who attended on the occasion, and whose names are hereunto affixed.

REPORT:—The committee of the district Medical and Chirurgical society of Baltimore, to which was referred the consideration of the questions of *locality and contagion*, as they respect the existing condition of the health of the city, beg leave respectfully to report:

1. That after the most deliberate investigation of the subject committed to their examination, it is their decided belief, that there does not exist at present, a single case of malignant or yellow fever, which has originated west of Jones' Falls. On the contrary, this portion of the city, comprehending four-fifths of its population, the residence of all the wholesale merchants, the seat of mercantile business during the spring and autumn, is as healthy as it ever was known to have been at this season; and (with the exception of the cold summer and autumn of 1816) more so than it has been in September for the last ten years. Your committee conscientiously believe, and assert, without the fear of contradiction, that there is not in the state, or any adjacent state, any equal population, more completely exempted from every variety and degree of bilious autumnal, or any other fever.

2d. Your committee moreover, feels itself justified in the expression of its entire conviction, that the disease which does exist at Fell's point, is altogether destitute of every attribute of *contagion*—and that universal experience and a constant observance of its character, demonstrate, that it has not been communicated from a sick to a healthy body. Although the intercourse between East and West Baltimore, has been free, unguarded, and uninterrupted, in no instance has it been propagated from one individual to another. Beyond the sphere of the atmosphere locally infected, no case has been found: and the bounds of the infected air are so limited and well defined, that none need expose themselves to its influence.

N. POTTER,
ENNALLS MARTIN, } Committee.
SAMUEL BAKER,

The above was placed in the possession of a special committee, with orders to publish the same in the daily newspapers of the city, with the names of the physicians subscribing thereto.

(Signed) ASHTON ALEXANDER, pres't.

Doctors.

Doctors.

John Coulter
P. Chatarr
Solomon Birekhead
John Cromwell
William Donaldson
Maxwell McDowell
John Owen
R. W. Hall
George Roberts
Wm. W. Handy
John Chapman
Thos. P. Hall
Ezra Gillingham
Parran Taylor
John O'Connor
Lewis M. Dunan
John G. Wolff
John D. Readcl
John Buckler

Corbin Amos
M. Diffenderffer
Joseph Brevitt
Joshua Bond
James Page
John Revere
William Fisher
John Marrast
John D. Sinnott
John B. Taylor
H. W. Waters
T. L. Murphy
Henry Johnson
Anderson Warfield
Wm. Zollickoffer
Charles Richardson
D. M. Reese
H. G. Jamison
John Welch

Ry order, S. K. JENNINGS,
J. B. CALDWELL, } Committee.
P. MACAULEY,

The board of health of *New York* announce the existence of a malignant fever in that city, and recommend the immediate removal of the people from a pretty large and very populous district.

Some cases have occurred in *Philadelphia*, which created considerable uneasiness. Let it be called what it may, we have no doubt but that, both in *New York* and *Philadelphia*, there are cases which in *Baltimore*, would pass for the yellow or malignant fever, without hesitation.

The same disease prevails on the Eastern shore of Maryland, and cases of it exist in the most healthy and delightful parts of Hartford and Baltimore counties—being every where more or less general as the exciting causes abound.

We are very far from exulting because this fearful disease seems to prevail in other places, as well as in one section of our own city—but we hope that the cause of truth may be subserved by the facts now manifested. It is proved, that this fever is *local*, or of *domestic origin*—that filth, swamps, marshes and stagnant waters, will produce it: it also seems to be clearly settled that it is not *contagious*. Hence, instead of attempting to keep away the disease by *proclamations*, and denying to those flying from a poisoned atmosphere the rights of hospitality, we shall resort to cleanliness in our cities, and increase our care every where to preserve the purity of the air, by draining the marshes and drawing off stagnant waters, &c. What was Savannah a few years ago? One of the most unhealthy and most fatal place for strangers especially, two or three months in the year; during which the city was almost deserted by its respectable inhabitants, at a great sacrifice of time and property. But the good people of Savannah looked at home, and by a powerful effort caused the rice fields to be subjected to a dry cultivation. The happy consequence is, that this city, now much fuller of people than ever it was before at this season of the year, is very healthy. May it always remain so!

Boston is reported to be free of malignant fever. At *Charleston*, the deaths by yellow fever, for the week ending Sept 1, amounted to thirty six. Among these, that of col. K. L. Simmons, is much to be lamented.

Banks and Banking.

Bank of the United States. The information which it recently was our fortune to lay before our readers, respecting an arrangement between the treasury and the bank of the United States, though "*notorious for months*" to the editors of the *National Intelligencer*, is received by all other editors as *wonderful news*. The article has already been published in 40 or 50 newspapers; and every where excites attention and surprise. The editor of the *Albany Register* thus introduces it into his paper:—

Bank of the U. S.—"We recommend to our readers a careful perusal of a long article on this subject, copied into our paper of to-day from the last number of *Niles' Register*. The bold and independent editor of that invaluable journal, introduces the subject with the following prefatory remarks: "The article below, headed "*Bank of the United States*," will on account of the facts it exhibits, claim a considerable share of the public attention. The editor exceedingly regrets that he is prohibited and perhaps ought to be, from giving the article *in extenso* from which these facts are derived. They come from the very best source of information."

"We shall wait with great impatience for the reply, which the high charges contained in this arti-

cle will probably draw forth from *head quarters*.—If the facts here disclosed are well founded, we have in the heart of the republican engine of corruption, which unless watched with the utmost vigilance, will ultimately undermine the liberties of the people. We regret with Mr. Niles, that he was prohibited from giving the article *in extenso*. As he has ferretted out and exposed to public view the *lesser game*, we hope he will not let the *old forces* elude his vigilance. Let the blame rest where it may, honesty and plain-dealing in times like these should be the watch-word of every editor."

The preceding is inserted to say, that the chief object in wishing to give "the article *in extenso*" from which the facts were derived, was to shew that no one would dare to deny the truth of what we said. But the facts being almost *officially* admitted, we are relieved of what would have been an unpleasant necessity, had a doubt been expressed of their verity. Still, there is something behind, which shall not be neglected, when we feel it right to make use of it.

The following is the retort of the "National Intelligencer" to our rejoinder to their remarks. The editors seem to be satisfied that they have gained a victory—let them enjoy it. "*Blessed is he who findeth consolation.*" The facts are before the people, and they will decide on the merits of each party in this little *paper war*—judge of the "notoriety," and determine who has been most "irrelevant" to the matters at issue.* The editors seem a little sore with what we said; we had no wish to wound them—but thought that they had not treated us quite fairly, and would have resented it, even though the replication had been written by the secretary of the treasury himself. And, in the little thing that follows, the language is so put together, that a stranger to the manners of the world would suppose the facts as stated by us had been proved erroneous,—but all that we gave as matter of fact was admitted to be so!

"The editor of 'Niles's Register' has made a replication to our observations on a late article of his respecting the bank of the United States. We do not find any thing in his remarks that calls for a rejoinder. He has said a great deal, it is true, but mostly on points foreign to the question; and, by somewhat departing from that ingenuousness of temper which has generally distinguished the editorial department of that paper, he has shewn a consciousness of having the worst of the argument. We could not have desired a more decisive victory.

"With respect to the notoriety of the things published, the only fact which the Register denies, we repeat, they were well known to all who were at all interested—to the merchants† who had duty bonds to pay; and this we must persist in calling notoriety.

"The fact is, the editor of the Register was led into error—(for he himself declared he had his facts from a *authority* which he relied on)—and he ought not to have been displeased at the matter being argued with him, especially as care was taken to say nothing irrelevant to the matter in hands."

*It is remarkable, and we are not a little pleased with it—that Mr. Ritchie, editor of the "Richmond Enquirer," in his paper of the 3rd inst. *substantially* took the same view of the remarks of the editors of the "National Intelligencer" that we did in our rejoinder of the 4th, written two or three days before its publication.

†The "merchants" then, are the only persons in-

Kentucky. Certain letters of a traveller in Illinois, to his friend in Kentucky, are published in the *Edwardsville Spectator*. The writer appears to be a Kentuckian and ardently devoted to the interests of that state. The following extract relates to a subject of great importance to the people generally—speaking of Kentucky he says:—"At another period of the annals of our state, the banking mania had become completely epidemic. The legislature caught the contagion, and passed an act chartering nearly half a hundred independent banks.

"It has always been my opinion, that of all evils which can be inflicted upon a free state, banking establishments are the most alarming. They are the vultures that prey upon the vitals of the constitution, and rob the body politic of its life blood. Look now at Kentucky! What a spectacle does she present! Nothing is to be seen but a boundless expanse of desolation!—Wealth impoverished, enterprise checked, commerce at a stand, the currency depreciated, all that was promotive of individual wealth, and all that was indicative of state prosperity and advancement, plunged into the great vortex of irremediable involvement.

"What incentive, now, has the farmer to industry and exertion? How fruitless would be the effort of the merchant, to rouse from their torpidity, the fallen energies of the state? A meeting of the legislature has been loudly and vehemently spoken of, as the only means which can recover it from its death-like stupor. That ruddy complexion and vivid glow, which is the best evidence of the health and vigor of a constitution, and the best indication of the advancement of a state to happiness and refinement, (and which once so peculiarly distinguished Kentucky) had faded away, and has been succeeded by a paleness, prognostic of all the terrors of a decline. I may be told that all these consequences may be traced to the worn profusion and extravagance of our citizens, and the introduction of the habits of luxury. These things, I admit, may have had their due tendency—but the profound and impartial politician, who is aloof from the influence of individual gain, and who has been in the habit of reasoning accurately from the tendency of every political measure to its necessary consequence, will give you a different account. He will refer you to a bank here, and a bank there, and a bank every where, and he will read you an instructing lesson upon their policy and expediency, in the devastation which surrounds them."

Lexington, Aug. 25.—Since our last the following have been added to the list of doubtful banks, viz: Georgetown, Shelbyville, Carlisle, Springfield, Burkeville.

The list now stands thus:

- | | |
|-----------------|-----------------|
| 1 Burlington, | 9 Shelbyville, |
| 2 Petersburg, | 10 Georgetown, |
| 3 Barbourville, | 11 Burksville, |
| 4 Somerset, | 12 Green River, |
| 5 Russellville, | 13 Greenville, |
| 6 Hopkinsville, | 14 Carlisle, |
| 7 Springfield, | 15 Morgantown, |
| 8 Lebanon, | 16 Columbia |

The notes of the banks of Springfield, Burkeville, Carlisle, Hopkinsville, Somerset and Greenville, are believed to be good—we have not been

interested in preserving the laws of the United States respecting the bank! Heaven help us, when the rights and liberties of a people are to depend on the morality of the counting house! But we deny the "notoriety" of the things stated, even to these,

able to ascertain, that they have forfeited their charters by refusal to pay their notes, and it is said they continue to do business. Nor can we state that all the others on the list are insolvent—on the contrary we are inclined to think, that most of them will be able to wind up by redeeming their notes. But it is sufficient that they are uncurrent to subject the holders to loss. Public confidence seems to have been almost entirely withdrawn from the independent banks—the notes of the following only are bankable here, viz. Lancaster Exporting Company, Louisville Commercial bank, Versailles, Frankfort, Bardstown, and Flemingsburg. The notes of a few others are received at the banks in payment of debts.

The report of the failure of the Millersburg bank is wholly unfounded. It is in good credit, and has never refused to redeem its notes on demand.

Pennsylvania banks. The following copied from a Philadelphia paper, contains the names of some of the *legion* of banks which have stopped payment in Pennsylvania:

Pennsylvania Agricultural bank, Carlisle; * Juniata bank, Lewistown; * Farmers' and Mechanics' bank, Pittsburg; * bank of Beaver; Marietta and Susquehanna Trading Company; bank of Greencastle; bank of Bedford; * bank of Meadville; bank of Huntingdon; * Silver Lake bank, Luzerne county; bank of Washington; * bank of Milton.

Those marked thus [*] have determined we understand to *wind up* their concerns as soon as circumstances will permit; and the others that have suspended payment will probably adopt a similar measure. *Dem. Press.*

The stock of the bank of the U. States is quoted in the newspapers at from 98 to 99. *Who buys?* Not those, we believe, who have money to put out at interest.

A neat contrivance.—The Western Sun, printed at Vincennes, Ind. states, that the Vincennes bank has emitted a new *batch* of paper, payable *nine months after date* at their branch in Vevay. It is said that the 'nine months after date' is printed on a dark ground in a small letter at the top of the bill, and so contrived as to require careful scrutiny to distinguish them from those payable on demand.

Cincinnati, Aug. 20.—I here came down the river to this place a few days ago, a man from Pittsburgh. He was, what they here call "a pretty sleek Yankee." He brought with him \$1000 in the notes of Piatt's bank. On his arrival he went immediately to the bank, and demanded specie, which was refused. He expressed much *surprise* that they should refuse specie, and began to walk backward and forward in the bank. After a short time he asked them to exchange for notes on banks that paid specie. This was also refused. He then told them, that if they had any notes of Owl Creek, Wooster or Uniontown, he would rather have *them*, than their notes. This affronted them very much; and they said, they did not suffer strangers to *insult* them in their bank! Our Yankee then apologized and declared, he by no means meant any insult, but, if they had any well executed *counterfeit* notes on any good banks, they would very much oblige him, by exchanging! This *affronted* them so highly that they ordered him out, which he complied with, after taking a few more turns backward and forward in the bank.

If this was the only bank in the state, where fraud is accompanied with insolence, the evil, being confined to a small circle, might be patiently borne. But when similar scenes almost daily occur in every

part of the state that is cursed with one of these *pretended banks*, it is high time for the people to consult their own safety, by steadily refusing to receive the notes of all banks that do not *pay* when called upon. In the present deranged state of the money concerns of this country, it is not safe to receive the notes of a bank, or pretended bank, whose funds and general conduct are unknown to us. We have, long enough, been the blind dupes of a set of men, who, by means of an artful "paper system," have taxed the community, to an amount far exceeding the taxes imposed by government. And for what reason do we acquiesce in this "paper system" tax? Is it expended in making roads, (so much needed,) in erecting manufactories; in promoting domestic industry? No! The tax thus raised from the laboring parts of the community is exclusively appropriated to the purchase of *foreign goods*; many of them useless, some of them pernicious; while our own citizens are discouraged from endeavoring to supply the real wants of the country.

Reading (Pa.) Aug. 28.—We understand that a gentleman from Harrisburg, on Wednesday last, formally demanded at the Farmer's bank, specie for the notes which he held, and being refused, he made application, according to law, to judge Dineen, to have the same reduced to writing; and the bank noticed thereof. If the proceedings have been regular, and the bank suffers ten days to expire without rebutting the testimony, the judge must transmit the proceedings to the governor, who of course, will issue his proclamation annulling the charter.

MISSISSIPPI SCHEME AND SOUTH SEA BUBBLE. From the *Richmond Enquirer*.—We have heard a parallel drawn between the present times, and those two famous European bubbles, the Mississippi and the South sea schemes. They were the most ruinous bubbles that ever burst upon commerce; and it is curious that they should have existed precisely a century ago. The Mississippi scheme (embracing a delusive plan of commerce with Louisiana) exploding in France in 1719—the South Sea scheme (a trade with the South seas) in England, in the years 1719 and 1720.—Both were paper schemes; founded on subscriptions of stocks; and both were designed to facilitate the redemption of public debts—but in point of speculation and of ultimate mischief, they appear to have been carried considerably farther than our paper schemes. In France, the Mississippi stock was run up to 1200 per cent. Shares were split up in such small parts, as made the fraud accessible to the humblest individual. Paris glittered with fictitious wealth. Strangers flocked from all quarters to gamble in the speculation. "So that it was currently believed, there might then reside at Paris half a million of strangers more than usual, that 1200 hundred new coaches were set up. Nothing scarcely to be seen but new and splendid equipages, new houses, and finery in apparel. Lodgings scarcely to be had for money, and the highest price given for provisions, &c. in that city. Yet in a few more months after, the very reverse of all this was seen to be the miserable condition of both city and country."

The South sea stock was auctioned off at 1000 per cent. Shares were split upon into the smallest fractions to accommodate dupes and fools. An astonishing spirit of gaming seized upon the nation: The bubble burst; and now (says Anderson) towards the close of this year of marvels, were seen the great losses of many families of rank, and some of great quality, and the utter ruin of merchants

before of great figure, and also of certain eminent physicians, clergy, and lawyers, as well as of many eminent tradesmen: some of whom after so long living in splendor were not able to stand the shock of poverty and contempt, and died of broken heart: others withdrew to remote parts of the world, and never returned." The wild projects and extravagance of that era have never been equalled. It is infinitely superior to any that we see in the present times. The grossest frauds too characterized them. The present times furnish no parallel to these—some indeed have shot up in the hot-bed of our *national bank*—but how much inferior in magnitude or number.

"History is philosophy teaching by example." Modern banking has given rise to events not much less *extravagant* than any noticed in the preceding sketches. "Only a million," was a common phrase in the mouth of a fellow that I might name, whose sheer *privateering* has caused the reduction of hundreds of widows and orphans from comfort to beggary.

ED. REG.

Remedy for the people against banks.

For the following sketch of an act to prevent swindling by banks, we are indebted to a correspondent. He suggests that the people, previous to the elections, should require a pledge of candidates for the legislature, to support a law containing some such provisions. If *cropping* is right in any case, it must be right in this. We think that a less *comparative* amount of specie might be sufficient, than is herein suggested as necessary.

An act to protect the people from bank swindling.

Be it enacted, &c.—That from and after the day of in the year 1820, if any president, cashier or director, clerk, agent, servant, or other officer of any bank, heretofore incorporated, or hereafter to be incorporated, shall make or cause, or procure to be made, or act or assist in making, or shall publish, pass, or offer to pass, or be in any way concerned in publishing, or putting into circulation, any bank note, or post note, or check, order, or certificate of such bank whereof or wherein he shall then be president, cashier, director, clerk, agent, servant or other officer, as aforesaid, after the said bank shall have once stopped payment or failed, or refused to redeem its notes or to discharge its debts, in gold or silver coin current by law in the United States, on demand thereof, according to the purport and tenor of its engagements; or after the said bank shall have issued notes, checks, certificates or other public securities, exceeding twice the full amount of the silver and gold coin actually paid in on its capital stock and deposited in its vaults; or after the silver and gold coin, if any there be in the vault of the said bank, shall be known by such person to be insufficient to redeem one half the amount of notes and other securities already issued by such bank; every such person shall be deemed a *felon*, and on conviction thereof shall be cropped on each ear, and shall suffer imprisonment in the penitentiary, for a period not less than 5, nor more than 15 years, and moreover, shall be held personally liable to the payment of all such notes.

And be it further enacted, &c. That if any president, director, cashier, clerk, servant or other officer, of any corporate body, shall secrete or smuggle, or convert and apply to his own use any note, bill of exchange, check, order, or other security, or any part of the proceeds thereof, or any money, goods, chattles or other property of the said corporate body, whether the same shall have been ac-

tually in the possession and custody of the said corporate body or not, or whether the same shall have been entrusted to the care or custody, or possession of the said person or officer or not, or shall knowingly pay out or deliver to any other person the same or any part thereof contrary to the rules and bye-laws of the said corporate body, or shall in any other way, cheat or defraud any such corporate body or connive or assist therein, or shall knowingly and wilfully conceal any such fraud, every such person shall be deemed a felon and to have stolen the same, and be punished according to the last section.

And be it further enacted, &c. that no rules or bye-laws of any bank shall be operative as such, until after the same shall have been published at least 3 weeks in some public paper of the state, where said bank shall be situated, and shall have been approved by a majority of the stockholders assembled at a meeting regularly notified, according to the charter of said bank.

Vice-President's Affairs.

TO THE PUBLIC.

The following letter to the vice president has been delayed, in consequence of the pressure of public business, beyond the time I had intended. Its length also is greater than I could have wished; but I could not well bring it within narrower limits. I trust my fellow-citizens will give it a candid perusal; and I hope that the editors of public papers, who have published the vice president's letter and statement, will also insert mine in their papers.

The course adopted by the vice president, of laying a controversy before the public, which may yet become the subject of judicial cognizance, is very extraordinary; and in following his example, I must find my apology in the necessity he has imposed on me, of vindicating my official character, or of submitting in silence to the most unjust and injurious imputations.

As my letter is an answer to three several letters from the vice president, one of which only has been published, it becomes necessary to publish the other two, in order that the public may the better understand my answer, and be put in possession of the whole subject.

ARCH'D M'INTYRE.

Albany, August 20. 1819.

Copy of a letter from the vice president to the Comptroller.

ALBANY, July 31, 1819.

SIR—You will probably recollect that I exhibited to the commissioners appointed by the legislature, and to the joint committee of both houses, last winter, your letter of a former period, requesting "that I would not be at the trouble of any arrangement of the papers and vouchers relating to my accounts; but that I would send them to you, and "that you would attend to that yourself; adding, "that this was all that was necessary, and all you "hoped I would give myself the trouble of doing." In their accounts to me of expenditure of sums of money which I advanced to my aids and other agents, some of the items were public and others private: And I had reason to anticipate, from your kind offer, that the public would have been separated by you from the private payments, and that the latter would never have appeared in my public accounts. Duplicates were also intermixed with the papers I thus transmitted to you upon

your assurance, that as you had all the former accounts in your office you should be able to exclude from the accounts to be stated by you, all duplicates of vouchers which had been allowed in accounts previously audited by you.

I could not, therefore, but be surprised to find in the account stated by you, and communicated to the legislature and published, that all the duplicates and private papers were represented as charged by me against the state, and were then rejected by you with remarks, in some instances, that I think might as well have been omitted. And, indeed, so clearly were the joint committee of my opinion, that in their report to the legislature, they expressed themselves as follows: "Your committee think it but justice to the character of the late governor to state, that the large amount of double, and other charges in the report of the comptroller, which may be deemed improper, is attributable to the fact, that the late governor delivered over to the comptroller all his vouchers and documents, in relation to his accounts against the state, without order or arrangement, relying upon an intimation of the comptroller that he would examine, assort, and pass only such to his credit as should be found, on investigation, not to have been previously allowed, or properly chargeable to the state."

After the adjournment of the legislature, I attended at your office, and struck from the account all the double charges and private items which had appeared in your report, without complaint or censure of that proceeding, although I had greatly suffered by it, both in feelings and in public estimation. Upon searching for those duplicates and private papers in your office, with a view of returning them to me, to whom alone they belonged, it was found that col. Pell, the agent for the state, had carried them to the city of Washington; and on my remonstrating to you against your having so parted with them without my knowledge or assent, you candidly acknowledged to me that you could not discover any necessity or reason for sending them there; that you had expressed to col. Pell at that time your doubts of the necessity and propriety of the measure, but that he seemed desirous of having them, and took them away accordingly.

After my return to Staten Island, col. Pell called and informed me, that he had understood I expressed dissatisfaction with him in relation to the transmission of my private and rejected papers to Washington. I freely acknowledged to him that I had, and had also declared that I could discover no motive for it but that of injuring me at Washington; he said it could not be expected, nor would it indeed be honorable for the state, that it should ask the general government to allow and pay what the state had rejected and published to the world as duplicates and private items; and stated to him moreover, the observation you had made at our last interview. He expressed his surprise that you should have given such an intimation, and declared that those papers were taken to Washington by your advice, request or approbation.

As the col. is now in Albany, I have to request that you will have the goodness to inform me whether you did advise, direct, or approve that disposition of them; and if not, at whose suggestion or advice those duplicates and private papers were parted with by you: and to ask a return of them by the bearer. I am, sir, your obedient serv't,

(Signed) DANIEL D. TOMPKINS.

Archibald M. Intyre, Comptroller, &c.

Copy of a letter from the same to the same.

ALBANY, August 5, 1819.

SIR That there may be no misapprehensions as to the delay which has taken place in the settlement of my account under the act of last winter, I beg leave to state the circumstances as my memory retains them.

At the adjournment of the legislature the deputy comptroller, Mr. Ely, was confined to his house by sickness; and you informed me you could not have the account stated and adjusted until you might avail yourself of his services and assistance; and that then you could not do it in less than a week or ten days; you added that your own health required you to take an excursion into the country for a few days; but that by the first of May you would have the account stated and ready for settlement. It was therefore agreed that I should return to Albany the second of May. Previously to that day, I received your letter apprising me of the continuance of Mr. Ely's indisposition, which prevented a settlement at that time. Col. Pell and myself then fixed on an early day in June, to meet in Albany on this business; but a day or two before the appointed time he shewed me your letter to him, announcing that you should leave Albany the next day for Essex county, and would not return again until the beginning of July. Upon that information we agreed to meet here again the sixth day of July, with which I acquainted you, when you expressed your regret that you should disappoint us again, as you were obliged to attend to the lottery business in New-York on that day, and for some time subsequently. We then made an arrangement to attend on the 24th day of July last, on which day I arrived in this city, and have remained here ever since, studiously pressing a settlement, and repeatedly acquainting you with the cause of my anxiety to return to my family.—Since your sudden and final suspension of the adjustment on the third instant, I have enquired of you what was your statement of the account, and whether and what balance you made either way. You informed me that nothing had been done with the account or paper since last April, nor had you made any calculations or stated the account, nor did you know what would be the balance. Will you have the goodness to point it out, if in any respect the above statement differs from your recollection of these transactions.

I am, sir, respectfully, your obt serv't,

(Signed) DANIEL D. TOMPKINS.

Archibald M. Intyre, esq. Comptroller, &c.

Comptroller's reply to the vice president.

State of New-York.—Comptroller's office,
Albany, August 18, 1819.

SIR—Your excellency's letter of the 31st ult. was handed to me on the 4th inst.

In answering this, I deem it due to myself to bring to your notice and recollection some facts and circumstances which, in estimating my conduct towards you, it seems you have entirely overlooked or forgotten.

Your excellency will undoubtedly recollect, that for the last three or four years of your administration, that I was very solicitous to bring your accounts to a close, and that I gave frequent intimations of the necessity of doing so; that you gave me repeated assurances that means would be taken for that purpose, and that for several successive winters, you told me, and not unfrequently unasked, in order to silence my importunity, that you would in the spring, before you left the city, deposite the whole of your accounts and vouchers with me.

In the spring of 1817, as soon after the rising of the legislature as I could, I took up, with the assistance of my deputy, the accounts and vouchers that you had previously left, and I assure you I was in no small degree shocked and alarmed at the inextricable confusion in which I found them, and much more so at the smallness of their amount. We spent at least a fortnight in their examination, and then did but little more than determine on a plan for their faithful scrutiny. We were satisfied that it was a useless task, and a waste of labor, to take up those until we obtained and examined the whole at the same time.

In the winter or spring of 1817, you agreed to meet Mr. McLean, late commissary of military stores, at my office, on the first of July, with the view of investigating the accounts between you and him, and I believe also with the view of settling your accounts with the state. Sickness in your family, however, prevented that meeting; and I find that on the 2d of July I received a letter from you, of which the following is a copy:

"Staten Island, 30th June, 1817.

DEAR SIR—I regret extremely that the sickness of my eldest son, who has been confined for three weeks with remittent and typhus fever, prevents my being at Albany on the 1st of July, as intended: The moment I can leave my family, without their being greatly distressed by my absence, I shall proceed to Albany; and I think that will be within the fortnight.

"With great regard, I have the honor to be, dear sir, your obt^d serv^t,"

"DANIEL D. TOMPKINS."

To this it appears I replied on the same day as follows:

DEAR SIR—I sincerely regretted your absence from here yesterday, but more particularly the cause of it. Before the receipt of your letter Mr. Clinton informed me that your son had been and continued very ill, and that there was, on that account, no probability that you would leave home at this time.

"When the situation of your family will admit of your leaving home with convenience, I hope you will come to Albany as you propose; particularly as Mr. McLean is as usual claiming a large balance to be due to him either from your excellency or the state of New-York. I wish most sincerely we could investigate this man's accounts, and if there is any thing due to him, that he may be paid off; and if, on the other hand, there is nothing, that his claim may be put at rest.

"Whilst writing, permit me to request that when you come up you will be so good as to bring along all such accounts and vouchers, as you have not yet rendered to this office. I shall now have leisure to examine them, and am very anxious that they may be settled, some of them being of a long standing. You need not be at the trouble of any arrangement of them. That I will attend to myself. The making of mere lists of the vouchers is all that is necessary, and all that I hope you will give yourself the trouble of doing."

To this I received no reply; and it perhaps required none.

On the 26th of August, 1817, not hearing any thing from you, I find I wrote to you as follows:

DEAR SIR—I shall have occasion to go to New-York next week, and will be there on Thursday morning; to save your excellency the trouble of coming here, or of sending the residue of the vouchers to complete the settlement of your accounts with the state, I shall on that day do myself

the honor of calling on you at Staten Island, and receive them; and I have to beg that they may be ready. I can now with convenience attend to their examination and settlement."

To this no reply was received, nor was, perhaps, any necessary.

The visit proposed in the preceding letter, you will recollect was paid, and that I returned home without account or voucher. After this I waited with much anxiety until the 26th September, when I find that I again addressed you as follows:

DEAR SIR—Your excellency will recollect that when at your house last Monday, a fortnight ago, you informed me that you would forward your accounts and vouchers with the state to me at New-York that afternoon, or as many of them as you could get ready, and that what you could not on that day get ready, you would forward by Mr. Ironside, to Albany, in less than a fortnight. None, however, were received at New-York, nor have any yet been received here. I must therefore be permitted to entreat, that they be now forwarded without further delay. There are very large balances standing unaccounted for, for many years; and your excellency must be aware that it is my duty to see that the accounts are brought to a close. I have been for the last three or four years under the constant hope and expectation of having them closed, but have been disappointed. Further delay would, I am sensible, subject your excellency, as well as myself, to severe censure; which I pray may be avoided by a speedy settlement.

"Owing to your excellency's delicate state of health, when I had the honor of seeing you, at Staten Island, and to the assurances I then received with respect to rendering of the accounts, I did not think it either proper or necessary to urge any more than I did at that time, and I could not even now urge the rendering of the accounts if it necessarily subjected you to much labor; but as I have more than once remarked, that the vouchers might be rendered without regard to arrangement, I cannot suppose that you will think it unreasonable that I should now urge an immediate remittance of them to this office. Mr. Ironside, or any other gentleman, can soon number the vouchers and make a list of their amounts, which is all that is necessary to be done. To their arrangement and classification I shall cheerfully attend. And indeed your excellency may recollect that no attention whatever has been paid to the arrangement of any of the vouchers lately rendered.

"I will no longer conceal from your excellency, that I have great anxiety on this subject, and that this was the sole inducement for my late journey to New-York and Staten Island. From this anxiety I pray you may speedily relieve me."

I expected that this would have produced a rendition of the accounts and an answer. It produced neither, and my pain and mortification were increased.

On the 13th October, 1817, I find I wrote to you as follows:

DEAR SIR—I relied with much confidence that you would have attended to the request in my letter of the 26th ult. relative to your accounts. Pray what is the cause of your silence? I entreat you, as you value your own fair fame, that you account without further delay. I dread serious consequences to you, as well as myself, if this is not done. And permit me to inform your excellency, and it is with pain I do so, that unless your accounts are immediately rendered, I shall be compelled to resort to the measures directed by law. Allow me

to hope that you will save me the necessity of such a painful resort. An imperious sense of duty alone will induce me take such a step."

And on the 13th of November, I find I wrote to you again, and as follows, from New-York:

"DEAR SIR—I arrived here last evening, in order to attend, with the managers, to the sale of tickets in the Medical Science lottery. I shall remain in New-York until Saturday afternoon, and should your excellency, before I go, think proper to send me the residue of your public accounts and vouchers, I shall be happy to take charge of them and save you the trouble of transmitting them to Albany. I lodge at Gibson's, Wall-street."

And to this no attention was paid, other than that Mr. Ironside was sent to Albany by you with a very small parcel of very imperfect vouchers, and in very imperfect order, enumerated in your abstract No. 10. I enquired of Mr. Ironside if this was all you had sent; he said it was, but that you would send the residue to him by the next boat, in order to be delivered to this office before he left the city. None, however, came. I still hoped and waited until the 3d of December, when I felt at last compelled to resort to the measures prescribed by law, and a citation was transmitted to the sheriff of your county to be served on you. Even this was done with an anxious solicitude not to give any unnecessary wound, and it was enclosed, I find, in a letter to the sheriff as follows:

"SIR—You will receive enclosed a citation to be served on the late governor Tompkins, which I have to request you will serve without delay. The service is to be performed by leaving a copy of the citation with him or at his dwelling house. When done, you will please to endorse the service on the citation and return it to me, under cover, by mail. Your charges will be paid to your order at the treasury."

"Having strong hopes that the vice president may render his accounts without any further proceedings against him than the present, permit me to suggest the propriety of saying nothing to others about the citation. I can assure you this step gives me sincere pain: but imperious duty requires it. You will no doubt participate in these feelings, and treat the subject with all the delicacy that duty will permit."

The seventeenth day of February, 1818, was fixed in the citation for rendering the residue of your accounts. None were rendered, however, and I was compelled to close the examination and audit of the vouchers rendered as they were, which was no easy task, as you will no doubt admit.

Did I not thus, permit me ask, do every thing in my power, and that could have been reasonably expected of me, by you or your friends, to close the business in an amicable manner? It appears to me I did; and I am very confident that I most anxiously sought and wished that the settlement might be terminated honorably and with as little trouble to you as possible.—But from you I received no aid or explanations—no answers to my communications. In all our personal interviews, until the spring of 1818, you invariably spoke of additional vouchers which you intended to deliver when you could collect and arrange them. Had you intimated when any of your vouchers were rendered, that no attention had been paid to them, and that some might have been rendered which ought not to have been, and desired a return of all such, I should with pleasure have made the separation. But I beg you will take your own conduct in the course of this business into consideration, and then candidly say,

whether I could with propriety have acted otherwise than I did? Previous to the audit of the account, I had heard it rumored, that you had charged this office with the loss of many of your vouchers. I thought it my duty then, on the examination, to account in some way for every paper you sent me, in the order in which they stood charged in the abstracts. I had no reason to suppose from your conduct, or any thing you ever expressed, that they were rendered without any care or deliberation. The parcel delivered by Mr. Ironside is the most defective of the whole, and contained more of exceptionable items than any that had been rendered. Could I suppose that these were delivered without an examination? You told me when I was at Staten Island, that it would require but a few hours to arrange and make an abstract of them; and yet several weeks had elapsed before they reached me. It was not intimated by you, nor yet by Mr. Ironside, that any of the vouchers might be of a character that would require their disallowance or return; nor was any such intimation given at any other time when rendering your accounts. I did not and could not know that the rejected and suspended items, and the remarks thereon, were ever to be published. The remarks, when prepared, were intended for your eyes alone. If you were dissatisfied with them in March, 1818, when sent to you, why did you not then inform me of your dissatisfaction, and every explanation that could reasonably have been required would have been promptly given. But no return was asked until the receipt of your letter of the 29th October, 1818, long after a portion of the suspended and disallowed items had been taken by col. Pell, the agent of the state, to Washington.

With respect to sending a portion of the suspended and disallowed vouchers to Washington, the circumstances attending it were, as far as I can recollect, as follows: When the abstracts of vouchers that were supposed properly chargeable to the United States were in a state of preparation, col. Pell, the agent of the state to settle with the United States, suggested the propriety of taking a portion of the suspended vouchers with him, alleging as a reason, that many of them might be susceptible of explanation so as to be allowed; in which case the state would in the first place receive the benefit, and afterwards the vice president, by a credit in his account with the state. There was not as you seem to suppose any rejected duplicates sent—that would indeed have been very improper. I have examined the abstracts since the receipt of your letter of the 31st ult. to ascertain whether any such had been sent, and do not find that a single one was forwarded, unless it should be said that two vouchers for inconsiderable sums, which were of a mixed character, and partly disallowed and partly suspended, were of this description. I made objections to the taking any vouchers to Washington which were of a doubtful character, but col. Pell, for the reasons assigned by him, thought otherwise, and I assented, and possibly approved at the time of the measure, and a clerk was directed to make out a separate abstract of all such as col. Pell should select. These are all the circumstances attending that transaction, as far as I can recollect them.

In answer to your letter of the 5th inst. I shall state my recollection and belief as to every circumstance you bring to notice. I did, I believe, as you say, inform you at the adjournment of the legislature, that in consequence of the deputy comptroller's indisposition, I should not be able to state and adjust your account with the state until I could

avail myself of his services and assistance, and then that it might take a week or ten days. I may have added, too, my wish to take a short excursion into the country, as my health required it. It did indeed require it, but Mr. Ely's indisposition prevented it, and I did not leave town until the 12th or 13th of June. The spring of the year and early part of the summer are periods when there is a particular press upon this office. Mr. Ely's indisposition, therefore, which continued for five or six weeks, was a serious loss to me. It is probable that the second of May was agreed upon for your return to Albany for a settlement, but of this I have no particular recollection; and if it was agreed upon, I know not that any act of mine prevented, or ought to have prevented you from coming.—On the 21st of April last, I find I wrote to you as follows:

"DEAR SIR—I do not recollect to have seen amongst your papers any documents to show what loans had been obtained by you for the public service, nor any to show that such loans had been expended and accounted for. Permit me, therefore, to suggest the propriety of your obtaining such documents as early as may be convenient, in order to prevent any unnecessary delay in the settlement of the accounts when you again come to Albany."

"I regret extremely, that the act for the final settlement of your accounts should have been so drawn as to admit of different constructions. But the more I reflect on it, the more I am persuaded in my own mind, that it can bear no other construction than the one I first gave it, viz: an authorisation to allow the discount upon such sums as you borrowed upon your responsibility without the aid of government securities, and nothing more."

"As the construction of the act involves a question of much importance to the state as well as to you, I trust you will excuse me for being cautious in coming to a decision of it. I think now that my construction of the act is right, and yet I ought to distrust my own judgment, since you construe it differently. I do not think I should be justified in referring the question to the decision of private individuals; but I submit for your consideration, the propriety of referring it to the judges of the supreme court; or to them and the chancellor, or to the judges, chancellor and attorney general; or to the chancellor, chief justice and attorney general. I shall cheerfully acquiesce in any decision they may make."

"Mr. Ely continues very ill and unable to attend the office, so that I have not had it in my power to take up the accounts since you left this, having to attend other pressing calls."

It would appear from the letter that I expected you soon; that I wished it; and that whenever you did come, you might come prepared. I certainly expected you up in May and in June, but not because I had any intimation from you that you were coming, for I had none. You had not condescended to answer my letter. On the 12th of June I received a letter from col. Pell, making some enquiries in relation to his agency, which I answered, and informed him that I should start for Essex county that day, partly on business, and partly to gain strength, if possible, as I had felt somewhat indisposed since the adjournment of the legislature, and that I should be gone until the end of the month; and being apprehensive that you might come up before my return, I requested him to give you notice. If colonel Pell and you agreed to meet here early in June, it is certain I received no intimation of it from either of you; and it is equally certain

that you did not come, and that I was at home until nearly the middle of the month.

About the first day of July, to the best of my recollection, you were at Albany on private business, when you informed me that col. Pell and yourself had agreed to meet here on the 6th. I then apprised you of the necessity I was under of being at New-York on that day, and for a few days thereafter, to attend to the lottery business, with which you were perfectly satisfied. I saw you at New-York, and at Staten Island, and you informed me you would be shortly at Albany; but you said nothing on the subject of the accounts, nor on the propositions I made in my last letter, and I confess I was not a little surprised at your silence.

On the 24th of July you arrived here; and you studiously pressed a settlement of the construction of the act of the last session, as to the description of loans on which the discount was to be allowed, but you will certainly admit that you never pressed a settlement of the accounts; on the contrary, when I proposed to you in one of our interviews to settle the accounts as far as I could, according to my sense of right, you declared in an animated tone you would do nothing about it unless the whole could be completed, or words to that effect.

Your letter of the 6th inst. has also been received, and I regret, for your sake, as well as my own, the spirit that dictated it. Without imputing to you any intention of wilful misrepresentation, I am constrained to declare that your letter before me is in several particulars incorrect as to matters of fact.

Your excellency will recollect that in the course of our negotiations on this subject, I proposed to submit the question between us, relative to the construction of the act of the legislature, 1st, to the judges of the supreme court, 2d, to the judges and chancellor; 3d, to the judges, chancellor and attorney-general; 4th, to the chancellor, chief justice and attorney general; 5th, to the chancellor alone; 6th, to the chancellor and two of the judges; and finally to two of the judges. When a submission to all the judges has been spoken of by me, you have always objected particularly to two gentlemen on the bench as being unfriendly to you. When, therefore, a reference to two of the judges was suggested, and at one time agreed on, I did say to you, that I did not desire you, and that I would not name either of those gentlemen on that reference. I did this, not because I had not entire confidence in their integrity and impartiality, as you seem to intimate, but because you had before objected to them. This you must have well understood. What was my surprise then to find you stating in your last letter, that I suggested that the two judges alluded to, "would not be proper arbiters between us," and that I professed a wish to exclude them from giving an opinion on the subject. How uncandid and disingenuous is it in you thus to attribute to me expressions and sentiments, disrespectful to those gentlemen, when you must know that I had no other view in my choice of "arbiters" than to satisfy you, and give effect to your own objection. I declare that I never entertained or expressed the opinion that those gentlemen would not be "proper arbiters between us," and your declaration that I did so, excites my unfeigned astonishment. And I take occasion to declare also, that neither of the judges alluded to, nor any other person, has ever attempted, directly or indirectly, to influence or control my conduct towards you. That I have heard the opinions of others, both for and against my construction of the act, repeatedly given with their reason, I confess; but no one has ever attempted to dictate or

control my judgment. I never had any conversation at all with one of the judges alluded to, relative to the law in question and your claims under it, until after our negociation was finally closed, nor with the other, (except at an accidental meeting we had in June, when he was informed of and approved of the course I had taken) until after you delivered me a copy of the opinion of your counsel, when I called and shewed it to him and he gave me cursorily his views of it; but at the same time told me that I must be guided in the affair by the dictates of my own judgment. This statement I am bound in justice to those gentlemen to make, and I cannot but regret that your excellency should have taken occasion, so causelessly, to attempt to excite odium against any of the members of the bench, and to impair the public confidence in the integrity of the high judicial tribunals of the state.

As for my declining to take the opinion of the attorney general, I stated to you freely my ideas on that head last April. I mentioned the very great importance and magnitude of the question, and that I thought the ordinary rule of taking and abiding by the advice of the attorney general ought not in this case to govern. Had the attorney general been then at home I would undoubtedly have consulted him with the view of either confirming or removing my doubts. Had I been disposed to take the opinion of the present attorney general as to the construction of the act, deference to your repeated and strong remonstrances against that course would have withheld me. I have not taken his "public and official opinion," nor yet his private opinion, on the construction of the act, nor have I ever heard that he has given any.

Your excellency attributes it to unjustifiable motives that I requested you to shew me the contracts for the loans upon which you claim the premium given by the law, and uncharitably suppose that I hoped to find them defective, that I might "elude a settlement on that ground." A moment's candid reflection might have satisfied you that I wished a view of those documents, not for the purpose of "evading," but of facilitating a settlement. I really hoped to find something in them to remove my difficulties and doubts, at least as to the allowance on some of the loans; and if I could conscientiously have allowed the premiums on any I was sincerely desirous to do it. I did think it probable, from what I had heard, that at least one of the loans was made under circumstances in which the money might be considered as obtained chiefly, if not exclusively, on your "personal responsibility." An examination, however, satisfied me that I ought not upon the proofs exhibited, to make the allowance on any one of them. I, therefore, returned the papers, with my letter, announcing my ultimate decision.

Your excellency is pleased to say, that I assured you that if the two judges of the supreme court, whom we had agreed to consult, should unite in opinion with your counsel, or should decline any interference, I "would in either case forthwith decide and settle the accounts with pleasure." I did tell you that if those judges agreed with your counsel in the construction of the law, I would yield to their opinion, and cheerfully proceed to the settlement of the account; but if you mean to suggest that I promised to adopt your principles of construction and settlement, if those judges should refuse to decide the question, it is an utter mistake on your part.

Your excellency is surprised at the 'individual pertinacity' with which I adhere to my own opinion as to the construction of the law, and that I should

exist the authority of the eminent counsel you have employed. That I should not yield my own sense of right and duty to any man or set of men, however respectable, holding no official stations, and acting under no official responsibility, will not excite the surprise of the good people of this state, if it does that of your excellency. I had much more reason to be surprised that you should, without paying any attention to my offers of reference to the judges, chancellor and attorney general, made in my letter of the 21st of April last, procure and put into my hands the opinion of counsel on a case made up by your-self, and without my consent or approbation. If you disapproved of my propositions, it was due to propriety that you should have stated your objections and proposed some other course, and that you should not have endeavored to overwhelm and bear me down by the opinion of great lawyers, given on an ex-parte view of the case.

I will here repeat, as I have done to your excellency before, my view of the construction of the act. The act for the final settlement of your accounts directs the comptroller, "*To credit and allow to him (the late governor) the same discount or premium on the current monies borrowed and obtained by the said Daniel D. Tompkins, on his personal responsibility and by him expended and disbursed in the public service during the late war, as were made and allowed to other individuals and to bodies corporate, and by them received for current monies loaned to the government of the U. States on the certificates of stock or funded debt of the said government.*" The act then allows you credit for the premium or discount, whatever it may be, on all monies borrowed and obtained by you on your personal responsibility and which you expended and disbursed in the public service. The questions of fact to be ascertained by me then, under the act, are whether any, and if any, what loans were obtained by you on your personal responsibility, whether you had expended and disbursed them, and what was the rate of premium or discount that was allowed by the government at the respective periods when the loans were made—You maintain that you are entitled to the premium on any loans which were obtained by you on the pledge of treasury notes and of your personal responsibility united. I, on the contrary, not being able to perceive that such loans were obtained so much on your personal responsibility as on the pledge of the treasury notes, can consider it nothing short of a perversion of language to pronounce loans, thus obtained, monies borrowed and obtained on your personal responsibility.—The principal ground or basis of the credit, was the funds placed in your hands by the government for the purpose of raising money, and not your "personal responsibility." Hence, I consider it manifest, that under the act you cannot legally claim the allowance on any loans where treasury notes were pledged, and were the principal and paramount security.

It seems to me, that these considerations, if they do not convince you that I am right, ought to satisfy you that it is not clear that I am wrong; and if there is any serious doubt in the case, the course of my duty is too plain to be mistaken.

But your excellency has thought proper to look out of the act itself for reasons to determine its meaning, and have related some circumstances which occurred on the passage of the law in the house of assembly. This is certainly incorrect. The law must be construed by the terms of it alone. But I cannot forbear to remark, that if the amendments to the act you mention were proposed in that house and rejected, the circumstance may as well be considered as evidence that the house did not think

them necessary to guard against your present construction, as that it intended thereby to establish that construction.

But as you have thus set the example, permit me to make a statement of the facts and circumstances connected with the origin and progress of that law, and which will clearly point out the real intentions of the legislature, and will show how far your excellency has been disposed to confine yourself to what you must have known was that intention. The report of Messrs. Colden and Bogardus, on the subject of your accounts, was referred to a joint committee of the senate and assembly. You appeared before that committee and presented to them a paper, of which the following is a copy:

"Amount advanced by the state for	
all objects	\$1,075,000 00
Current money by the U. S.	1,253,516 37
Current money by D. D. T.	1,110,000 00
5 per cent. on the first	\$53,750 00
2½ per cent. on the 2d	31,338 30
Average of ten per cent.	
on the 3d	110,000 00"

In this paper you intended, no doubt, to state to the committee your claims, the amount of monies which had been placed in your hands for public purposes, and the commission and premiums thereon, which you thought yourself entitled to. In addition to that written statement, you repeatedly assured me, as well as several members of the legislature, that the premium to which you would be entitled under the proposed law, would not in any event exceed an average of ten or twelve per cent.

The committee applied to me to be informed of the amount of the balance which would be due from you after crediting you for all advances which you had made to individuals on unsettled accounts, not then credited, but which they had agreed to recommend to be credited. I stated to them as nearly as I could, that it would be from 110,000 to \$120,000 and you admitted that it would not differ much from that sum. The committee then selected the third item in your written statement; that is, 10 per cent. on \$1,110,000—equal to 110,000, as the basis of the law. You drew the law yourself, and it was, I believe, passed without amendment.

There is no doubt at all in my mind, and never has been any, that the committee selected that item in your claims, merely because they thought it would give you a sum sufficient to extinguish the balance of your account with the state, and they were willing to do that in the way that was most agreeable to your excellency's feelings. The sum of \$110,000 premium, contained in your statement, differed not essentially from the supposed balance of your accounts. Such, I really believe, was the understanding and intention of most of those who voted for the law. It was never expected or intended, that the effect of the principle adopted in the act, would be to give you a large sum out of the treasury, over and above what you already owed.

That your excellency may see that I am not alone in my view of this part of the transaction, I take the liberty of transmitting you a copy of a letter from one of the members of the joint committee. As this letter was addressed to me in my official capacity, and on an affair of public concern, I feel at liberty to make its contents known to you and to the public.

"UTICA, April 19, 1819.

"SIR—I found before I left Albany, that the act providing for the settlement of gov. Tompkins' ac-

counts, was the cause of considerable apprehension, even among his friends who voted for it, from a fear that the operations of it might be such as to bring the state in debt for a considerable large balance, beyond that which was due from the governor to the state on the face of his former accounts.

"You are sensible that such would not have been the calculation of the joint committee from the data which were before them; indeed such an idea, though urged in the house by those who opposed the bill, was disclaimed, I believe, by most of the members of the committee, in the debate which took place on that subject; and it would indeed be mortifying, should it appear in the result, that they were either deceived themselves or had been the instrument of deceiving the house. You will recollect, that amongst the papers presented to the committee by gov. Tompkins, was a short schedule of the several items for which he claimed allowance according to the report of the commissioners, and as that paper may not now be in either his or your possession, I subjoin a copy of it, which was taken at the time, and which I find accidentally preserved amongst my papers. I do this principally as a justification of the committee in the grounds which they assumed in defence of the bill, and as an indication of the views which they entertained of the extent and operation of the provision of the bill which passed in favor of gov. T. though I have no reason to believe that his views of it can be materially different from theirs, or that he will have the remotest desire to extend its operations beyond what was at that time represented and expected to be its probable result. I am, sir, very respectfully your obedient servant,

E. BACON.

Archd. McIntyre, esq. Comptroller, &c."

(COPY.)

"Amount advanced by the state for	
all objects after the commence-	
ment of the war,	\$700,000 00
Current money by U. States,	1,253,516 37
Current money by D. D. Tompkins,	1,110,000 00
5 per cent. on the 1st,	\$35,000 00
2½ per cent. on the 2d,	31,338 30
Average of 10 per cent. on	
the 3d,	110,000 00"

"P. S. The bill as reported by the committee, and as it passed, provides, you know, only for the 3d of the above items."

It will be perceived that there is a difference in the statement copied by Mr. Bacon and the one mentioned above as having been presented by you to the committee, as to the item amount advanced by the state, and the charge of commission on that item. The difference arises from the circumstance that the item in one statement included all the monies advanced to you from the state treasury, and in the other only such as were supposed to have been drawn by you after the commencement of the war.

Knowing, as I thus did, the representations you had made to the legislature, and the real intentions of that body in passing the law, I was greatly surprised shortly after the session closed, to hear it said that the operations of the law would be to give you a large balance. You ought not to think it strange therefore that I determined to act in relation to it, with great caution. Indeed I felt very deeply the responsibility thus thrown upon me.

Such were the circumstances under which the law passed. Let us now see the extent of the claims you have made upon the treasury under that law.

When your excellency handed me the opinion of your counsel, and the case you had prepared for them, there was annexed a schedule marked A.—

This paper has not been published by you with those to which it was attached. A copy of it is in my hands, and I insert it here, with the exception of that part which relates to rejected or suspended charges.

"SCHEDULE A.

"Claims of Daniel D. Tompkins, late governor of the state of New York, allowed and recommended by the commissioners appointed by the legislature, over and above \$884,461 24, previously audited and admitted by the comptroller, and over and above \$136,625 44 suspended by him, viz:

1819, April 1. Interest and premium on \$42,157 88, being the balance audited and advanced by me for the public service in 1812, which was settled or repaid till 1816, 4 years, \$15,179 50

To commissions on \$1,075,021 72 drawn, expended and accounted for to the state, and for risk and responsibility for all officers and agents to whom the money was confided, expenses, journeys, command, losses, &c. at 5 per cent. 53,751 98

Interest thereon, 4 years, 15,050 52

To commission on \$2,353,516 27, obtained from the U. S. and upon personal loans and advances expended and accounted for, 118,175 20

Interest on the last mentioned commission, 4 years and 6 months to the 1st July, 1819, 37,225 28

To premium and discount of \$1,095,000 at 20 per cent. in stock, being the amount loaned on my personal responsibility and advanced and accounted for, 277,506 00

Interest thereon to 1st April, 1819, 4 years and 3 months, 89,402 24

Interest for three months on 53,751 98 dollars, on \$118,175 80, and on \$277,500, from 1st April, 1819, to 1st July, 1819, 3 months, 7,864 43

\$605,155 76"

This schedule presents, in two of its items, the statement of your claims under the law, to wit: the sum of \$277,506, being the premium or discount, as calculated by you, on \$1,095,000, (which you there state you had borrowed on your "personal responsibility," and accounted for) and interest on that premium, amounting by your calculation to 89,402 25 dollars, making together the sum of \$357,908 25. This sum of \$1,095,000, was afterwards reduced by you to 1,000,000, and you intimated a willingness to refer the question of interest to the legislature, as one on which you thought I had some reason to doubt, though you had none yourself. I ought not here to omit to state, that in the exhibits of your claims, which I saw in the hands of the commissioners, the items "premium," &c. and of "interest on the premium," were not carried out, but remained in blank.

This sum of \$277,506 you certainly meant to represent as due to you, without any deduction on account of its being a stock premium, *because you charge interest on the whole amount.* It is true, in your last conversation with me, you said that you presumed that I had been under a mistake as to the principle of calculating the premium; that the real premium would not be more than about 13 per cent. and the final balance due you about \$25,000, being about the sum you said the com-

mittee of the legislature intended to give you.— You, moreover, said, that had I given the construction to the act which you contended for, you meant to permit me to proceed in crediting you according to my own rule of calculation, and then to take the merit of setting me right. I cannot forbear remarking, that this conversation was after I had ultimately refused to adopt your construction of the act, and of course when there was no prospect that you would be allowed the sum charged by you in the schedule marked A. *Thirteen per cent.* or thereabouts (which you now say is the real premium) on \$1,095,000, is \$142,350. You charge it, however, in the schedule at \$277,506, and you charge interest on the whole sum as the *real amount of premium.* I confess I do not understand this. But, independent of your statement, you exhibited documents to me which clearly went to shew that the premium was to be estimated at 25 per cent. at least. How you can now, therefore, succeed in establishing that your claim only amounted to about 13 per cent. for the premium, or that it is any thing short of 25 per cent. is beyond my comprehension. To determine the rate of premium we must either estimate the stock at its par value or else at the present price. What other rule can we adopt? The loans to the United States at the latter end of the year 1814, it appears from Mr. Bronson's letter, and I have no doubt of the fact, were taken at 100 dollars of stock for 80 dollars of current money, or in other words, \$125 of stock for \$100 in current money. I have not the ingenuity, then, to make the premium any thing short of 25 per cent. And as you claim the premium or discount on one million of dollars, *borrowed and obtained by you on your personal responsibility,* I am unable to make the aggregate of your claim, independent of interest, less than \$250,000.

According to the best judgment I can form of the state of your accounts, there would be due from you to the state, after crediting you for all advances made for authorised public purposes, charged in your *final abstract* of April last, as the second section of the act of the last session directs, about \$120,000, and if I should adopt your construction of the act, you would not only extinguish that balance, but as I verily believe would draw from the treasury not less than \$130,000, exclusive of interest. And indeed if I should credit you for all you charge in your *"final abstract"* the final balance to be drawn by you would be considerably increased.

You say you were frequently informed at New York, and after your arrival here, that the declarations of my political and confidential friends were, that a settlement at the present time would at all events be evaded by me. You told me in some of our interviews that certain persons did make these predictions, and I did indeed assure you that none had the authority from me for making them.—The great anxiety evinced by me during all our interviews to come to an amicable adjustment, would be alone sufficient proof to an unprejudiced mind of the falsity of these declarations. But this is all overlooked, and it would seem that you are now disposed to give belief and currency to these groundless assertions yourself. I assured you before that they were utterly groundless, and I now repeat it and challenge the proof.

On the subject of my proposition to you to apply to the supreme court for a mandamus to me to make the allowances you claim under the law, I must remark that I made it under the full belief that it was a proper case for a mandamus, and that the question between us would thus be brought

regularly before the court. At all events I should have made no objections on the part of the state.

On enquiry, since the receipt of your letter, I am told I was correct in the opinion; and further, that the decision of the supreme court on such application could be carried up to the court of errors and corrected there if it should be erroneous. If this be so, it must be known to your counsel, and I am utterly unable to see why this proposition, on my part, has been declined by you. The final judgment of the highest court in the state can be obtained in the case, and that in a very short period, at an expense not half equal to the sum you told me it cost you to procure those opinions of your counsel, to which you insist I should yield implicit obedience.

I have thus gone through with the statement relative to this most unpleasant business, which I have been compelled to make from a sense of what is due to my own character and the public. I have served that public long in the most laborious and responsible station under the government; and I can say with truth, that my utmost endeavors have been exerted to discharge its duties with fairness and integrity. In my vindication against your charge, I rely on the facts which I have stated; and I sincerely submit the question, between your excellency and myself, to our fellow-citizens. Let them say whether they discover any thing in my conduct towards you that bears the appearance of a desire to oppress or injure you. Let them say whether it is not abundantly shown, that I have extended to you throughout the whole of this affair (and it has lasted for years) the utmost forbearance consistent with my official duty. That duty I must continue to perform, while I hold my place, fearlessly and impartially; and if I am so unfortunate as to incur your resentment by doing so, I can only regret it, and hope that upon cool reflection your excellency will be convinced that you do me injustice.

Recollecting, in the course of this business, that I had, in 1807, soon after your excellency came into the government, received a letter on the accountability of public officers, and having found that letter, I cannot forbear giving an extract. In that letter you say, "that any officer entrusted with public money should have the liberty of drawing it from the treasury, without accounting for the same, and satisfactorily shewing its faithful expenditure for authorised public purposes, is an idea not to be tolerated in a republican government."—These are correct and safe principles, and such as I have endeavored always to apply to public men without distinction.

I shall in the course of a very few days make out and transmit to you a statement of your account, as it now stands, independent of the credits to which you may be entitled under the act of the last session for premium or discount.

I have the honor to be your excellency's very obedient servant, ARCHD. MUNFIRE.

His excellency Daniel D. Tompkins.

Foreign Articles.

GREAT BRITAIN AND IRELAND.

The London editors lately *congratulated* the people of England, that though parliament had settled 6000l. per ann. on the duke of Wellington, granted 500,000l. to buy him an estate and build a palace for him, together with other grants to the amount of almost half as much more to purchase plate, buy pictures and statues, &c. he is still so *poor* that he will not have much more than 100,000 dollars

per annum; or a sum more than equal to that of the pay of all the executive and judicial officers of the United States!

"Vaporing." The British often say that the people of the United States are not *too modest*, when they speak of the exploits and talents of their countrymen: perhaps the remark is well enough—but the London Courier, speaking of the manner in which the anniversary of the Battle of Waterloo had been observed at Brussels, says—"Why do we suffer the great day to pass by unheeded in the march of time? Why is not some national solemnity appointed to mark its return. Some public scene at which *"children may learn to list the name of Wellington, and prattle, even in their sports, of Waterloo! We alone—WE—by whose right arm the fight was won—leave it to a few clubs, to pluck the bright gem from the tide of time as it rolls past us, and hold it up to the view of an admiring world.—Let us hope that this reproach may yet be effaced from our character."*

India cotton. Extract from the evidence of Alexander Baring, esq. before the secret committee of the house of commons, appointed to consider of the state of the bank, and of the expediency of the resumption of cash payments, (given on the 25th of March, 1819.)

Supposing peace to be maintained in India, and the overtrading to that part of the world, both from this country and the United States, to be checked, as it naturally will be by the ordinary consequence of overtrading, do you not think that there is more probability that in the next two or three years, bullion may be imported from Asia to Europe than that it should continue to be sent from Europe to Asia, especially if the supply of Europe from the mines of South America should continue on a diminished scale? I should certainly think that less bullion will go from Europe to Asia; perhaps that none at all may go; or it is even possible that a small balance may be brought from thence, but I should think the latter case not very probable. *An article which has lately come in great abundance from India, cotton, will probably not come at all since the cotton of America is reduced to its present rates.*

Lord E. Fitzgerald. The earl of Liverpool brought a bill into the house of lords, as an act of grace on the part of the crown, to reverse the bill of attainder of lord Edward Fitzgerald, by which the blood of his two children had been corrupted. The bill was passed. This "corruption of blood" is a branch of the barbarous system which supposes one man to have better blood than another.

Steam! A London paper of July 17, says—The Americans have applied the power of steam to supersede that of horses in propelling stage coaches. *In the state of Kentucky, a stage coach is now established with a steam engine, which travels at the rate of twelve miles an hour; it can be stopped instantly and set again in motion, with its former velocity, and is so constructed that the passengers sit within two feet of the ground. The velocity depends on the size of the wheels.*

There is a steam-boat in America of 2,200 tons burden. The engine is of 1000 horse power! It is called *The Fulton the First*.

Pepper. A large quantity of *counterfeit pepper* has been detected at London. The stuff is made up of mustard seeds, glue, chalk, &c.

The funds.—Yesterday the second payment of the loan was made of 10 per cent. A very proper determination had been adopted by the committee of the stock exchange, that of not permitting clerks of stock brokers to act upon their own account.

This resolution has not been abided by, and the last account produced a number of those trifling defaulters, as they had *bared* to an amount considerably beyond their means of settling. In consequence, an investigation took place, and several of them are said to be expelled the house. The total amount of their speculation is said to be 900,000*l*. July 24.

American stocks, July 24.—Three per cents, 60 a 61; new six per cents, 96 1-2 a 97 1-; seven per cents, 100 a 101; U. S. bank shares, uncertain.

British stocks.—Bank stocks, 228 a 229; 3 per cent red. 70 3-4 a 71 1-8; 3 per cent. cons. 70 1-8, 3-8, 1-8, 5-8; Om. 2 3-4, 5-8 a 3 3-8; cons. for acct. 70 1-4, 1-2, 1-4, 5-4, 5-8.

SPAIN.

The grand expedition is postponed indefinitely; owing to the desertions of the soldiers and the disaffection of the officers, because they neither received pay nor provisions—pretty good reasons for being discontented.

There is a report that the king has been shot at. We do not want the thing killed, but would rejoice to hear that it was chained to the oar of a galley for life. If ever any one deserved such punishment, it is the creature Ferdinand.

The *Madrid Gazette* states, that "several small columns of light troops are now traversing Estramadura, to purge it of the numerous bands of robbers who have for some time infested it.

FRANCE.

Suicides are very frequent at Paris. One person aged 96 years, having announced himself weary of existence, killed himself!

A French squadron, it is said, is equipping at Toulon, and is to be joined by an English armament, for the purpose of clearing the seas adjacent to Gibraltar, of the South American privateers.

SOUTH AMERICA.

Female patriots.—In South America it is not the men only who are conspicuous for the energetic assertion and defence of their liberties. The women are animated with a republican devotion to the cause of independence, the sole guarantee of private happiness.—The wife of gen. Padilla accompanies him to the field, and has been nominated a lieutenant colonel, for taking with her own hands a Spanish color. The women of Cochabamba were stationed to defend a post, on the attack on that town, and all perished. In Upper Peru it is now customary to inquire at every roll-call, if the women of Cochabamba have presented themselves? and the answer regularly given to perpetuate the exploit is, "No, they have all perished in defence of their country."—*London paper.*

The port of Paiza (between Panama and Guyaquil) is in the hands of the patriots. It is believed that the Chilean fleet has captured a Spanish vessel with a million of dollars on board. The trade of Peru is completely destroyed.

Bolivar is said to have surprised the royalists and to have captured a large quantity of specie. He was in New Granada, which is represented to be in a state of revolution.

Some of M'Gregor's men have commenced business at Panama, as mechanics. Others have entered the Spanish service. Some are still held to labor as prisoners.

CHRONICLE.

Printer's toast. The following notable toast was drunk on the 14th March 1815, by the Albany Typographical society. The words in *italic* are technical terms used in the art of printing.

"The ever memorable 11th of Sept. 1814; on which day com. M'Donough distributed his balls from the mouth of *American cannon*, unlocked the enemy's forms and broke them into pi; wet down their royal sheets in troughs filled with the waters of lake Champlain; split their make-up-galies, and turned their journey-men out of office."

Colonization 52 blacks, liberated about 4 years ago by capt Izard Bacon, of Virginia, have been brought into Pennsylvania to remain there in suitable places, until they can be embarked. They were well clothed and provided for, and their manners reported to be decent.

Northern boundary. It is again reported, and we fear that it is true, that Reuse's Point, on lake Champlain, where the U. States are erecting some strong military works, is about a mile and a half north of the 45th degree of latitude, and of course within the British territory.

Com. Bainbridge has recently visited Kingston, in Canada, and was very handsomely treated by the commissioner of the navy and the military officers there. *Query* Did these officers, according to our own late *law-able* custom, take the gallant commodore round the town and through the military and naval works, and point out the most eligible places for annoyance or resistance?

The first provincial congress of Massachusetts sat at Salem on the 7th of October 1774—the following members of it are yet living: John Adams, George Partridge, William Baylies and David Cobb.

Geographical information! We all recollect that at the beginning of the late war, it was talked of to build vessels in England, of a "peculiar construction" to ascend the cataract of Niagara!—It is not then to be wondered at that the following paragraph should have appeared in a London newspaper in 1775—for which we are indebted to the Boston Patriot.

"We hear that there are now afloat on the lake Ontario, two British ships of war, mounted with brass cannon, which were built at Deptford, and carried over in frames, so as to be put together immediately, when occasion offered. If this be true, it will effectually cut off all communication between CANADA and LOUISIANA, and consequently curb at once all the ambitious designs of our enemies on that side."

Two vessels, on lake Ontario to cut off the communication between Canada and Louisiana!

Chariton, a new town somewhere in Missouri, contains about eighty houses, and several brick buildings are now erecting. A year ago there were only "five or six unlinked cabins" on the town plot.

New York. A census is now taking of the city of New York—it is supposed that its population will be found to be about 135,000. The population was 60,489 in 1800—75,770 in 1805—96,302 in 1810—and 103,000 (more probably 110,000) in 1815. Since 1800, more than doubled.

Bite of a snake.—Mrs. Kitty Houtsberger, leaving six or seven children, lately died at Greensburg, Pa. in consequence of the bite of a rattlesnake, a little above one of her ankles. Her sufferings were extreme; she described her feelings as *if lying on a bed of fire!* The poison perhaps, having penetrated a vein, was soon diffused through her whole system. A ligature on the leg was tried and it soon became black—bleeding, opiates, harshorne, olive oil, &c. were freely used, without effect. She became blind a few minutes after being bitten, though her vision was occasionally perfect before she died.—She survived the bite about a 11 hours; and had

medical attendance between three and four after her misfortune.

DISTRICT COURT OF THE UNITED STATES FOR THE
WESTERN DISTRICT OF PENNSYLVANIA.

Shecker and others, vs. The Geneva Boxer.

This was a novel case in our country, and its decision involves the most interesting consequences to the whole district bordering on our western waters. The plaintiffs were hired hands on board the Geneva Boxer, and were discharged without payment of their wages—they libelled the boat, which as perishable property, was sold by an interlocutory decree, and the case was submitted to the honorable Jonathan H. Walker, judge of the western district of Pennsylvania. In a very able and learned opinion, in which the question received all that attention and research which its importance merited, it was decided that the admiralty jurisdiction of the United States courts does extend to the fresh water, navigable streams of the interior of the continent, that the wages of boatmen come under the denomination of seamen's wages, and that the remedy by libel may be resorted to, in cases similar to those of the Atlantic waters. A like decision has been made in the district of Kentucky, in the case of the steam boat *Buffaloe*.

Died, on the 29th ult. at Alexandria, col. Charles Simms, a soldier of the revolution, and collector of the port; which appointment he had held since the administration of president Washington.

—, In North Carolina, on the 22nd ult. capt. James Houston, aged 72 years—an active whig in the revolution, and badly wounded at Rainsour's, June 22, 1780. He died offering up his prayers for the good of his country.

—, at Washington city, *William Gibbs*, 1s. lieutenant of the late 44th reg. and brevetted captain for his gallantry in the defence of New Orleans.

—, at the same, capt. *Michael Lowe*, aged 78, a soldier of the revolution.

—, in the neighborhood of the same, col. *Nicholas Long*, a young and meritorious officer of the revolutionary army, and late commander of the 43d reg. U. S. infantry.

—, at the same, on Tuesday last, Robert Brent, esq. late paymaster-general of the army of the U. States.

—, at Philadelphia, general *John Rutledge* of South Carolina, aged 53 years.

—, at Long Branch, N. Jersey, judge *John F. Grinke*, of South Carolina, in the 67th year of his age—a soldier of the revolution.

—, at Saratoga Springs, Jack Commodore, between seventy and eighty years of age. During the contest for liberty in the United States, Jack was the servant and slave of gen. Lord Sterling, but received his freedom and an honorable discharge for his faithful services.

—, in Rhode Island, James B. Mason, esq. late a representative for that state in the congress of the U. States.

—, suddenly, in Canada, the duke of Richmond, governor in chief.

North Carolina congressional election. Jesse Slocomb, Lemuel Sawyer, Thomas H. Hall, J. J. Smith, Weldon Edwards, Thomas Settle, William Davidson, Levin Williams, Charles Fisher, Felix Walker, re-elected, Charles Hooks, in the place of Mr. Owen; H. G. Burton in that of Mr. Bryan; John Culpepper in that of Mr. Stewart.

New Orleans, Aug. 4. Extract of a letter—We have received a report in the city, from Barrataria, that the renegade Mitchell has collected together upwards of 150 desperadoes, and has fortified him-

self on an island with several pieces of cannon, and that he has declared they will all perish within their intrenchments, before they will surrender to any force. There are now about 100 men out in search of the late pirates, four of whom have been taken, and are now in custody—but it will require good friends to get hung. A few days ago, one of them, with a pistol in each hand, marched boldly through the city guard of eight men, with fixed bayonets, and they boldly stood still and let him go off clear—all true disciples of Hudibras. It is thought here, that it will require five hundred men to destroy this nest of pirates. We want the strong arm of government extended to this section of the union. We are greatly neglected. I hope they will awake from their slumbers at Washington, and try to put a stop to such plunders at our very doors. It is high time to be moving towards the Gulf of Mexico. *Balt. Pat.*

Declaration of the independence of Texas.

The Louisiana Herald, contains a copy of a declaration, issued on the 23d of June, by the supreme council of the republic of Texas. The following extracts contain all that would be interesting to the American reader.

"The citizens of Texas have long indulged the hope that, in the adjustment of the boundaries of the Spanish possessions in America and of the territories of the United States, they should be included within the limits of the latter. The claims of the United States, long and strenuously urged, encouraged this hope. An expectation so flattering, prevented any effectual effort to throw off the yoke of Spanish authority, though it could not restrain some unavailing rebellions against an odious tyranny.—The recent treaty between Spain and the United States of America has dissipated an illusion too long fondly cherished, and has roused the citizens of Texas from the torpor into which a fancied security had lulled them. They have seen themselves by a convention to which they were no party, literally abandoned to the dominion of the crown of Spain, and left a prey, not only to impositions already intolerable, but to all those exactions which Spanish rapacity is fertile in devising:

The citizens of Texas would have proved themselves unworthy of the age in which they live—unworthy of their ancestry—of the kindred republics of the American continent—could they have hesitated in this emergency, what course to pursue. Spurning the fetters of colonial vassalage, disdaining to submit to the most atrocious despotism that ever disgraced the annals of Europe—they have resolved, under the blessing of God, to be FREE. By this magnanimous resolution, to the maintenance of which their lives and fortunes are pledged, they secure to themselves an elective and representative government, equal laws and the faithful administration of justice, the rights of conscience and religious liberty, the freedom of the press, the advantages of liberal education, and unrestricted commercial intercourse with all the world.

"Animated by a just confidence in the goodness of their cause, and stimulated by the high object to be obtained by the contest, they have prepared themselves unshrinkingly to meet, and firmly to sustain, any conflict in which this declaration may involve them.

"Done at Nacogdoches, this twenty-third day of June, in the year of our Lord 1819.

JAMES LONG,
President of the Supreme Council.

BISSE TARRIN, secretary.

There are various reports about men marching to join the forces of the "supreme council."—Recruits are said to be expected from sundry places, and an alliance is to be formed with *General Lafitte*, of Galveztown!! We believe the whole is a bubble, and will eventuate in the destruction of all persons engaged in it—save such as escape by running away. It is an affair in which we cannot take side with the "patriots."

DESTRUCTION OF VAUXHALL.

Philadelphia, Sep. 9. We have just returned from witnessing a scene, disgraceful to the city of Philadelphia—a scene the like of which never before occurred in this city, and which, we trust, never will again. In consequence of the advertisements of a Mr. Michel, the late partner of Mr. Guille, who a short time ago made a successful excursion in a balloon, from the city of New York, an immense concourse of citizens, exceeding, at a moderate calculation, 30,000 in number, assembled at, and in the vicinity of Vauxhall Garden. From want of skill or design, (we know not which) the balloon was only partially inflated.

The citizens waited for three or four hours, with a patience not to have been anticipated, when it is considered, that many of them had been disappointed in a similar manner, a few days before, and it is probable would have retired to their homes, without any violent expression of their disapprobation, had it not been for a most unfortunate and unjustifiable occurrence which took place about sun-down. A boy had clambered up the fence of the gardens, when he was ordered down by a person in the inside; he refused; and gave the man some insolence, who struck him down with a piece of board or slab. It is said, with what truth we are unable to say, that the boy is since dead.

Some persons on the outside, already exasperated with disappointment, immediately commenced the work of destruction, by tearing down the fence of the garden. They then went *deliberately* to work, breaking the lamps, summer houses, windows of the temple, &c. They broke into the bar-room, broke the bottles, glasses, &c. spilled and drank the wine, and other liquors. *When they had destroyed all they conveniently could, they set fire to the temple, which being composed of wood, was entirely consumed, notwithstanding the active and unremitting exertions of our fire and hose companies.* It is, of course, impossible for us yet to state the probable amount of the loss sustained by the proprietor of the garden.

Under the circumstances of the case, the destruction of the balloon, although it could not have been justified, might have admitted of some palliation. But the wanton and illegal destruction of the property of an unoffending individual, is an offence which cannot be tolerated in a government of laws. We trust the perpetrators will be discovered and punished.

We understand there were not more than fifty persons engaged in this outrage. It may be worth while to ask, where were the mayor and the officers of police, from half past 6 to half past 8 o'clock.

Another account says that the boy alluded to in the preceding was killed on the spot, and it was supposed also that several other persons were. The "mob" seized upon the cash that had been collected for admittance, and completed their job by destroying the shrubbery and shade trees of the garden. The theatre and garden cost a great deal of money—the owner of the balloon had expended \$2,500 to prepare it.

FROM THE NATIONAL INTELLIGENCER.

The views of the President of the United States, under whose direction the annual 10,000 dollars, appropriated by the last Congress for Indian civilization and improvement, are to be applied, may be gathered from the subjoined letter, which we understand, has been issued in the form of a circular, by the War Department, to as many agents as are known to be engaged in promoting the work of Indian civilization, "within the limits of those Indian nations which border on our settlements."

The information called for is certainly necessary as a first step in the progress of a system, which is to be adopted in order to give to the appropriation its contemplated effect.

Doubtless this appropriation will be more extensively promotive of the object intended by it, as an auxiliary fund, especially in such hands as those in which it is in contemplation to place it, than it could possibly be made, were it constituted an independent one. The sum is too small upon which to organize a separate system, but, were it ten times its present amount, it is probable that, even then, it would be more practically and usefully applied by the men who have gone forth under the impulse of their own humanity, and in the strength of their own means, than it would be by mere undertakers.

CIRCULAR.

"In order to render the sum of 10,000 dollars, annually appropriated at the last session of Congress for the civilization of the Indians, as extensively beneficial as possible, the President is of opinion, that it ought to be applied in co-operation with the exertions of benevolent associations, or individuals who may choose to devote their time or means to effect the object contemplated by the act of Congress.

"But it will be indispensable, in order to apply any portion of the sum appropriated, in the manner proposed, that the plan of education, in addition to reading, writing, and arithmetic, should, in the instruction of the boys, extend to the practical knowledge of the mode of agriculture, and of such of the mechanic arts as are suited to the condition of the Indians; and in that of the girls, to spinning, weaving, and sewing. It is also indispensable that the establishment should be fixed within the limits of those Indian nations which border on our settlements. Such associations, or individuals who are already actually engaged in educating the Indians, and who may desire the co-operation of the government, will report to the Department of War, to be laid before the President, the location of the institutions under their superintendence, their funds, the number and kind of teachers, the number of youths of both sexes, the objects which are actually embraced in their plan of education, and the extent of the aid which they require; and such institutions as are formed, but have not gone into actual operation, will report the extent of their funds, the places at which they intend to make their establishments, the whole number of youths of both sexes which they intend to educate, the number and kind of teachers to be employed, the plan of education to be adopted, and the extent of the aid required. This information is necessary to enable the President to determine whether the appropriation of Congress ought to be applied in co-operation with the institutions which may request it, and to make a just distribution of the sum appropriated.

"In proportion to the means of the government, co-operation will be extended to such institutions as may be approved, as well in erecting the necessary buildings, as in their current expenses."

NILES' WEEKLY REGISTER.

NEW SERIES, No. 3—Vol. V.] BALTIMORE, SEPTEMBER 18, 1819. [No. 3—Vol. XVII. WHOLE No. 419

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

The editor of the *Register* presents his thanks to Mr. Elliott, editor of the "Washington City Gazette" for his prompt correction of the mistake pointed out in his paper.

The important supplement to the volume just finished, is completed—and will be sent as usual to those accustomed to receive all appendages to this work; others will please to order it—its price is \$1.

HEALTH OF BALTIMORE. —

Interments for the week ending yesterday morning, Friday the 17th of Sept. at sun-rise.

	Malignant diseases.	Other Adults.	Children.	Total deaths 1819.—1800.
Saturday, Sep. 11,	5	5	6	4 10 38
Sunday,	12	9	9	9 18 24
Monday,	13	4	5	3 6 9 26
Tuesday,	14	10	8	8 10 18 33
Wedn'sd'y,	15	11	9	12 8 20 22
Thursday,	16	11	4	7 8 15 20
Friday,	17	9	8	8 9 17 28

107 191

Supposed (resident) population, Sept. 17, 1800—20,000; do. in 1819—60,000.

By adults is to be understood all persons of, or more than 21 years of age. The board of health reports the names and ages of all who are interred. Among those of the 12th, was a person aged 97 years; on the 17th, another aged 92.

No material alteration of the character of the disease since our last. It is slowly spreading, and will apparently extend itself over every part of the Point, unless the people remove, which they are earnestly entreated to do; and such as have not the means of providing for themselves, are furnished with provisions under the charge of commissioners, who now have about one thousand persons under care, encamped, or quartered in the rope-walks east of the city.

The idea that the prevailing disease is contagious, seems to be wholly exploded. The residents of the healthy parts of the city (which are nine-tenths of the whole) are pursuing their accustomed avocations as heretofore, and feel no apprehension in communicating with persons from the very seat of the fever; though it is deemed imprudent to enter and remain any considerable time in the infected district.

Chirurgical society The members of the district medical and chirurgical society of Baltimore, have it again in their power to assure their fellow-citizens of the continued general health of our city—No case of yellow fever has occurred to any member of this society, or any other practitioner of medicine since their last report on the west side of Jones' Falls, which is not distinctly understood to have originated on the east.

They have also the satisfaction to state after the most vigilant attention to the subject, that the fever still continues free from any contagious quality whatever. The reports of the board of health show, that there are deaths from malignant fever occurring daily west of the falls, and yet in no case has the disease been communicated to the attendant. At

the city hospital, where the disease is accumulated in its worst stages, so far as we have been able to ascertain, no attendant or nurse has been infected.

They lament with the deepest regret, that the fever is increasing at Fell's Point, accompanied by a mortality which as yet has not been arrested. This they attribute in a great degree, to patients not making early application for medical aid. They would therefore urge, by every motive which makes life desirable, all persons who have been exposed to the local causes of the fever, to make the earliest possible application for medical relief. After the first few hours of the fever have elapsed, the physician is often called to perform one of the most painful duties of his profession, to witness the rapid approach of death without the power of arresting it.

But when the proper means are resorted to early, they do not hesitate to declare, as their unanimous opinion, that the yellow fever is under the dominion of medicine.

ASHTON ALEXANDER, M. D. Pres't.

JOHN B. CALDWELL, M. D. Sec'y.

The fever does not seem to be extending at Charleston, but it is to be feared that it cannot be eradicated at this season, though perhaps its range may be limited—20 deaths by it, for the week ending the 8th inst. Great efforts are making in New-York to remove the people from the infected district to extirpate the disease; thus admitting its locality which their quarantine regulations deny! A dreadful spotted fever prevails at Darien, Geo. out of 129 persons composing the white population of the place, 51 were reported sick. The editor of the Winyaw Intelligencer, printed at Georgetown, S. C. speaking of an alarming sickness that exists there, says—that of his household, consisting of sixteen persons, only one has escaped the disease.

New York. It is stated as a fact, that coffee, sugar and hides from the Havana, are permitted to be brought to New York, in lighters—but that a cargo of flour from Baltimore, was directed to remain at the quarantine ground until the 1st of October!

HOW TO GET IT UP THE LADDER!

United States' bank stock. The following announcements of the price of the stock of this bank, when collected together, are enough to make a person laugh very heartily, even in these serious times.

From the (Philadelphia) Franklin Gazette.

- Sept. 1. U. S. bank stock—"95 1-4 offered, 97 asked, no sales."
2. ditto "96 offered, 97 asked, no sales."
3. ditto "96 offered, 98 asked, no sales."
4. ditto "97 1-4 offered, 98 asked, no sales."
5. ditto "97 3-4 offered, 99 asked, no sales."
6. ditto "97 1-2 offered 98 1/2 asked, no sales."
7. ditto "A few shares sold at 98."
8. ditto "97 1-2 offered, 99 asked, no sales."
9. ditto "98 1-4 offered, 99 1/2 asked, no sales."
10. ditto "98 1-2 offered 99 1/2 asked, no sales."
11. ditto "99 offered, 100 asked, no sales."

The above are taken, just as we find the items, day after day, in the "Franklin Gazette," a paper that is friendly to the bank of the United States

The 5th and 12th of the month were Sundays—hence no report on those days.

A REMEDY! The author of the following is unknown to us; and we publish his communication without feeling it necessary, at this time, to offer any opinion upon its leading feature.

Sir—Your controversy with the National Intelligencer induces me to address you. If an idea, which I long since conceived and frequently expressed, had been acted upon, such a controversy never would have taken place. I am now an old man. In another country, when I was young, I was for some time a banker's clerk. In this, full one fourth of the years I number, I have been a bank director. I have read, conversed, and reflected a good deal on banking.—The idea above alluded to is: that the bank of the United States ought to issue no branch notes. It appears to me, that the circulation of their paper would then be incalculably more general, extensive and beneficial. *It may, perhaps* be useful, that in reality a part (say one sixth or one eighth), and in the *deluded* opinion of the people the whole, of bank notes in circulation should be convertible into gold or silver: but it is, I think, the interest of the banks, the state, and (tho' last, not least) the people, that this convertibility should be made as troublesome as possible.* And, next to this, the occasions for converting should by wholesome laws be rendered as few as possible.—What would be the harm if Philadelphia, New York or the Federal city's (wherever the seat of the parent bank of the U. S. may be permanently fixed) becoming the central money market of the U. S. as Paris is that of France, London that of England, and (to compare small objects with great ones)—Frankfort that of the Rhenish provinces, Augsburg that of Suabia and Bavaria, &c. &c. If a merchant of Liverpool shall hereafter want to convert bank of England notes into bullion, he must send them to London, or apply to a private banker or money broker. To an old cynic like myself, it is a ludicrous sight to behold the fear and trepidation, in which a hundred or two of individuals, wealthy or enterprising, possessed of costly ships for which they have no other employment than the India and China trade, keep the high and mighty presidents and directors of the bank of the U. S. and its progeny. This trade, *in the extent* to which it has lately been carried, is deleterious to the body politic and commercial. Once acknowledged to be so, let it be circumscribed, by increasing the duties on the produce and manufactures of Asia, and depriving them of the benefit of drawback. The merchants of the U. S. ought not to be permitted to vie with the British East India company and free traders, in supplying all the world with those merchandise, at little or no profit to themselves or the nation, and by tapping the latter of its life-blood, so peculiarly necessary to a new and progressing people. It is a vulgar error to say, that the evils we experience will cure themselves;—that trade will regulate itself. It is a *fatal* error! Encourage domestic manufactures, and the circulation of the notes of solid banks; issue no more U. S. branch notes; augment the circulating medium; destroy all *country* banks, and all *crippled* banks elsewhere; curb the trade to Asia, that gulph of perdition to the *numerary* wealth of nations; or—behold the appalling alternative:—soon will the United States, that Heaven's favorite, resemble

Italy, Germany, &c. where there is some motion and activity at court and on the borders of the sea, and all else is comparatively torpor, inertness and poverty. K.

Mr. Miles.

AMERICAN GLASS. Messrs Bakewell, Page and Bakewell, of Pittsburg, have politely presented to the editor of the REGISTER, a pair of elegant decanters of their own manufacture. What we said of the pieces sent to us by the "New England glass manufacturing company" may be said of these; they are equally neat and beautiful. We are pleased to see so much perfection at such distant points of our country. The following is the obliging letter of the gentlemen, announcing their transmission of the articles:

Pittsburg, 30th Aug. 1819.

Sir—Annexed you have a receipt for a small box containing a pair of decanters of our manufacture, which we beg you to accept as a token of the high sense we entertain of the service you have rendered our country, by the publication of many valuable essays on political economy, and as a specimen of the progress of the arts in the west.

It is about ten years since the commencement of our establishment, and before our business was oppressed by the excessive importation of foreign glass, we gave employment to near a hundred hands, and maintained about four hundred persons;—at present we find it difficult to furnish work for ten.

If, at the ensuing session of congress, such measures are adopted with respect to domestic industry, as will best promote the real and substantial interests of the community, instead of the mistaken policy heretofore pursued, it will soon be found that the genius, enterprise and industry of our fellow citizens, are not confined to the east or the west—the north or the south, but that, under the protecting influence of a mild, and, we hope we may add, paternal government, they will excel in arts, as they have in arms, throughout the whole extent of the republic.

With great respect we are sir, yours truly,

BAKEWELL, PAGE AND BAKEWELL.

H. Niles.

Prospects of Europe.

It is the opinion of many, that the "age of revolutions" is not over. For near thirty years past, "during the throes and convulsions of the ancient world" in which, "with agonizing spasms, infuriated man was seeking his long lost liberty," or wars of ambition were desolating the nations, events of astonishing magnitude and effect followed each other so rapidly, that the period is perhaps the most busy in history. It is not impossible, nay it seems probable, that we are about to enter upon a new series of agitations and revolutions, whose general operation on the affairs of the world, may not be less remarkable than those we have witnessed. It is not to be believed that the "holy alliance," as it is impiously called—that foul conspiracy of the princes against the people, by which the latter were counted to be treated like cattle, will be able to controul the tide of popular opinion receiving its impulse from popular suffering. There is a point somewhere or at sometime, to all human affairs, and we know that nations rise and fall like individuals. Europe, indeed, seems to be like a vast volcano, containing within the *materiel* to shake the world, and its pourings forth will most probably be in England, France, Germany and Spain. The love of self-government is contagious; and it is possible that all

*See Ricardo's plan, recently adopted by the British parliament.

Europe may blaze in a common revolution, before the people settle down quietly. But we do not pretend to say when these things are to come to pass; we speak of them only as the probable, perhaps we might say *natural* effects of the existing state of society, in that quarter of the world.

The people of *England*, pinched for the meanest necessities, after having exhausted every capacity of labor and strained every resource that ingenuity could supply, are calling loudly for *reform*, and demanding a redress of grievances in a language and manner that cannot be mistaken—if we are to believe what we see publicly stated. But reform is impracticable; the system is so perfectly corrupted, that the removal of any part of it would cause all the rest of it to fall into pieces. Nay, such is the state of the case, that the *bribery* of members of parliament is just as needful to the support of what is called government, as the ways and means to maintain the army and navy, &c. One act of profligacy is brought to lean against another, and if they yet totter, a new one is contrived to keep them more steady; and so it is, that a *reform* as to any of these would bring the whole mass into confusion. The semi-ident royal family, the iniquitous church government—the debased nobility—the legions of placemen, pensioners and sinecurists, the borough mongers—the stockholders and jobbers in the stocks—the tax gatherers and managers of the revenue—the army and the navy, and aught else that belongs to the government or government affairs, is so mingled and mixed with the other parts or departments of the general system, that the people know it is *REVOLUTION* only that can relieve them of their distresses. With *reform* in their mouths, they mean *revolution* in their hearts—and it will sooner or later take place. The labor of the country cannot much longer bear the burthens imposed upon it.

If we are to judge by the regent's speech on the prorogation of parliament, and his late proclamation (see page 42)—together with the measures adopted by government, we must believe that much alarm and anxiety prevails. The papers are filled with accounts of the meetings of the people, at which inflammatory language is used, and the very women seem to be extensively engaged in exciting the men to action, driven to it by the extremity of wretchedness. A notice of the state of things will be found in our foreign articles, and the *tout ensemble* is frightful. But it is difficult to determine how much credit should be given to our accounts from *England*. In some cases, the most prominent features are suppressed, and in others mountains are made out of mole hills. The government of *England*, though *practically* almost as despotic as that of *Russia*, in which nearly all the people are acknowledged slaves, is still to a certain extent, sustained by public opinion. Hence it is that the ministers sometimes feel it necessary to furnish themselves with pretences to employ the military to keep the people down. It is an *established fact*, that persons have been commissioned and paid by government to hurry the people into the commission of treason, that some of them might be hanged or transported, as a warning to the rest!—and even this supremacy of baseness seems needful to keep the system a-going! To what a state are they reduced—the governors as well as the governed?

But if the representations of the condition of the country are to be relied on, a more determined spirit to resist or remove their oppressors, is now manifested in *England*, than at any former period: and we believe that if the reformers carry their projects so

far, as *once* to oppose the military in arms, even tho' their number may not exceed 2 or 300 men, that a *revolution* will commence. It is generally believed, that the affair at *Lexington*, that starting-place of American emancipation, was brought about by the address of a distinguished whig; who, having prepared the Americans for defence, urged the royalists to attack—the consequences were calculated; the whole continent was electrified to resistance and an appeal to the sword. If such a thing should happen in *England*, the like events will probable follow it. That the people have a right to pull down their oppressors—that, in banishing their princes and priests, and all that belongs to their civil or ecclesiastical *systems*, they will stand justified before God and man, no liberal person will doubt; and that they may succeed in the establishment of a government which shall have its sources of power in their own will, is among the most earnest wishes of my heart. The contest must be dreadful; but as old general *Stark* says, "death is not the greatest of evils;" and the gift of life, without the means of living, is a boon not worth possessing.

France is in a singular state. A solitary cry of " *vive la Napoleon*," would make king *Louis* tremble at the head of his army! Yet every thing seems quiet, and the people appear to enjoy many blessings which the revolution and the public works of the late emperor, have conferred upon them. *France* has suffered much—but the general state of society is vastly improved. The people are no longer that listless herd of slaves that they were. The march of mind has been as rapid as were those of the wonderful man who so long directed the energies of the nation: who, with all his faults, is yet so beloved by Frenchmen, that if he were to stamp his foot on French ground, the fables of antiquity would appear to be realized; for armed men would seem to spring from the earth to support his pretensions to the throne. But *France*, if not agitated by the convulsions of her neighbors, will probably remain quiet during the life of the present king—and then some change of government is generally expected.

Germany appears to be filled with what are called seditions—a restlessness prevails:—an one extremity to the other. Millions of the people have been transferred from one master to another, without their consent. The means of living are scanty; and the taxes imposed, to support their numerous princely establishments, are exceedingly burthensome. Arrests of suspected persons are very frequent—and the assassination of *Kotzebue* appears like the beginning of a horrid system to relieve the country of its enemies. *Prussia* is clamorous for a constitution, which the king has frequently promised to give to the people, but he still neglects to do it. There is much talk of a constitution that has been projected for the government of all who speak the German language, on republican principles.

In *Spain*, commotions must be expected. Indeed, some disturbances have already taken place. If the people think at all, they cannot bear the idea of supporting the miserable thing that they spent so much blood to place on the throne—who has violated every pledge that he made; who has destroyed those that preserved him; a tyrant and a fool; incapable of feeling gratitude, and delighting only in acts of barbarity. A revolution in *Spain*, we think, may be counted upon as if to happen very soon.

What mighty changes would take place in the relations of the world, on the events anticipated! Who can calculate the consequences or measure the effects? The mind is lost in conjecture of what

would follow them—but we firmly believe that they would result in a common benefit to the human race, by restoring man to his original right of self-government, through responsible agents of his own choice.

Emigration to the United States.

The tide of emigration still sets to the United States. Never before perhaps, except in the last year, did so many persons from Europe reach our shores to take up their abode with us, at this advanced state of the season, as are now arriving. We regret that it is so. Hundreds, perhaps, we might say thousands of them, will be incumbrances on us during the ensuing winter; for many tens of thousands of our own people, accustomed to sustain themselves by their labor, will be out of employment, unless some extraordinary event shall take place.

We have always until just now greeted the stranger on his arrival here with pleasure. There was room enough for all that would come, and industry was a sure road to a comfortable living, if not to independence and wealth. We were glad of the addition which they made to our population, and of the impulse which they gave to the capacity of production, thus advancing our country to its weight of power and extent of resources which the patriot delights to anticipate, but which also every one desires to see realized. Now, however, our population in most of the maritime districts and in some parts of the interior also, seems too thick—there are too many mouths to consume what the hands can find business to do; and that hitherto sure refuge of the industrious foreign emigrant, the western country, is overstocked by the domestic emigration. Certainly, the present system cannot last long, and the time must come when home industry will be encouraged and protected, in all its branches. If this were the case, all would be busy, money would circulate freely, and happiness abound.

It appears that a good many persons who recently arrived from England, being disappointed in their prospects of employment, are on their return home. We have thought that some such were occasionally re-shipped, under sanction and perhaps at the cost of the British government, that they might check emigration. But this cannot be suspected now. The poor people are truly alarmed at the prostration of things presented to them, and will rather depend upon the resources they have been accustomed to, than suffer poverty in a land of strangers. Still those who have a little money, may certainly do better with it here than at home.

It is reported, that to relieve themselves of the support of their paupers, many such will be sent to the United States by the church-wardens, &c. of England! It will therefore become the state authorities to be careful to take the proper securities of those who bring passengers, that they will not become chargeable on the public.

TABLE, showing the amount of emigrants from Europe, (as reported in the newspapers), who reached the United States for two weeks, ending on Friday the 3rd of Sept. 1819.

	week ending Aug. 25.	week ending Sept. 3.	Total.
From Liverpool	373	440	813
Halifax, St. Johns &c.	522	367	889
Hull	54	36	90
London		237	237
Bristol		100	100
Weymouth		119	119
Guernsey		38	38

Havre (chiefly Eng.)	168	6	174
Londonderry	55		55
Galway	33		33
Belfast	279		279
Waterford	200		200
Cork		163	163
Limerick		38	38
Greenock	10	50	60
Amsterdam		370	370

3378

When we consider that the passengers arriving at many small ports are not reported at all, and the moral certainty that we have overlooked some who were reported even in the newspapers received at our office, it may be fairly presumed that the real number of those who arrived cannot be less than *four thousand*, for these two weeks; and from what we have learnt, it is also probable that 1000 more may have passed into our country from *Canada*, in the course of the last month. We observe that the Canadian papers are very zealous to prevent it—and hear of many proceeding to the western states.

The returns for the last two weeks would probably have shewn an amount of about 1500 per week—568 arrived at Philadelphia in one day—on Sunday last; many of whom were in one vessel from Antwerp.

The *New York Gazette* says—"We know a gentleman who has made a calculation, grounded upon the emigration of the present year, shewing that in the course of five years, the number of emigrants to this country will amount to *half a million*—New York is calculated to receive one sixth of the number, as it has done for the last year. The numerous emigrations, via the Canadas and Nova Scotia, are not taken into this calculation.

"This is a serious subject, and will naturally excite the attention of government."

This calculation, we apprehend, is much exaggerated. It must be recollected, that very few emigrants arrive before the month of May, and less after that of September. Admit, that in the whole of these five months the rate should continue at 2000 per week, the amount would be only 40,000 per annum. And this, we feel satisfied, is a greater number than ever arrived in the United States in any one year, even in or for the present, though the emigration has been so very heavy. But how it should "naturally excite the attention of government?" we cannot tell, unless the *British* government is meant.

Opposition—support and reproof.

The editor of the "*Southern Patriot*," a newspaper published at Charleston, S. C. by Mr. Robert Howard, has several times attacked me pretty warmly, because I have presumed to attempt to arraign the Bank of the United States before "the bar of the public reason," especially since Mr. Cheves has been at the head of that institution. It is no part of the business of the Register to attack or defend individuals, but I have yet to learn the doctrine, too fashionable in our country as well as in Europe, that offences are lessened in proportion to the supposed *dignity* of persons committing them; and my favorite dogma is, that "vigilance is the condition on which liberty is granted to man." Many things that I anticipated respecting the Bank of the U. States, literally came to pass; and, however the editor of "*Patriot*" and others may ridicule the prediction, I venture the assertion, that this *soul-less* incorporation will grow into a more perfect despotism than ever existed in

our country, if its career of intrigue to acquire power is not checked.

* Mr. Howard seems to be highly offended at the manner in which I have spoken of those who have great influence in managing the affairs of the bank. Let him enquire at Philadelphia into the characters of these "irresponsible" men, and ascertain how many of them are *not* SHAVERS and BROKERS, and mere JOBBERS in STOCKS. If he thinks that persons of such description, are those who should be invested with the mighty power that the charter confers, and believes that they will use it for the public benefit, I shall not dispute the point with him!

But the editor of the "Patriot" has not manifested that degree of liberality which I deem necessary to a discussion, that has truth for its object. In his paper of the 2nd instant, he gives his readers near three columns of remarks on my article respecting the arrangement between the treasury and the bank, picking out a little thing here and another there, to make his comments upon, but keeps the article itself back. The latter, it is true, might not have been worthy of a place in the "Patriot;" but, in such a case, a plain man would be apt to think that the room occupied by the remarks upon it was wasted! If, hereafter, he shall believe any thing that I say requires his comment, he may write, print and publish as much about it as he pleases, provided only, he will let the people see what it is that he is writing about.

Indeed, I should not at all have noticed Mr. Howard's remarks, but for the singular circumstance of receiving, on the same day that his paper reached me, a letter of the same date, on the same subject, from a different quarter of the republic, but at about the same distance from Baltimore. It is written by one of the many soldiers of the revolution who have honored me with their private friendly communications for several years past, on different subjects. The mention of this will, perhaps, be impressed into an evidence of my vanity—I do not care if it is. I am proud of these opportunities of recurring to first principles, through the friendship of the venerable men who projected a sublime scheme of emancipation, or hewed out a republic with their swords. The writer of the letter at present before me, is a gentleman of much consideration in his neighborhood. I am inclined to pay quite as much respect to his opinions as to those of Mr. Howard. The following contains all of his present communication that is relevant to the subject, and I have given it—letter, word and mark, as he sent it to me. He will be much surprized to see it in print, but I am sure will excuse the liberty that I have taken.

—, September 2, 1819.

"DEAR SIR—Until now, I have not had time to read the 26th No. of the Register *with attention*, and although it is near 12 o'clock at night, I cannot forbear offering you my best thanks for it, and troubling you with a few sentiments. I am sensible, that in so doing, I lay a heavy tax on your patience, and trench on time that might be otherwise more usefully employed. There is such a similarity of principles and feelings between us, that my nature irresistibly impels me to communicate with you. Every sentence of the article headed "Bank of the United States," in the No. alluded to, would furnish volumes of comment; but I must restrain the garrulity usually, and perhaps justly, imputed to persons who have attained the age of sixty years, and confine myself to some of the *most* interesting parts of this interesting No.

"The original purpose of this institution was to *get money*—the object of the present managers is to

acquire power." "Eight or ten irresponsible individuals may and *will* rule the government of the United States, if the strong arm of the people is not speedily interposed." This is truly an alarming prediction, requiring the most serious consideration. I wish you had pointed out the manner in which the people can arrest the progress of the plan, and finally defeat it. I, for one, would most willingly co-operate in any measures calculated to defeat the projects of governing the government, through the medium of the circulating currency. But you have not suggested the means of laying any effectual restraint on the conspirators, and in my limited view, there are none but for the people to meet and instruct their representatives. But how is even this to be effected, while the people continue enthralled and entangled in the webs of bank chicanery? Perhaps, in some sections of the country, it might be practicable to liberate them; but *here* it could scarcely be attempted. We are either too deeply involved with the banks, have too little information on the subject, or are too apathetic to do any thing. As to myself, though incapable of taking a leading part, I would certainly give my feeble assistance to any effort that should be made to remove the oppression of the rag barons, whatever banks they might have the control of.

"Few have estimated the *moral force* which a command of the circulating medium of a country confers." Few, indeed! Such a command, as you justly observe, "makes the creature greater than the creator, and it is [truly] a creature without feeling or remorse." The mysteries of finance are understood by very few persons in any country, and the generality of mankind judge of it only by its effects. In our country especially, the science is a new one, and the projectors themselves are often the victims of their own schemes. Hence it is, that the rich become suddenly poor—the scheming poor become suddenly rich, and the laborious poor are reduced to mendicity. Patient industry loses its merited reward, which is *unaccountably* transferred for a time into the coffers of the speculators and shavers. All these changes may be traced to the inscrutable operations of a mysterious banking paper system."

There is one point, however, in the remarks of the editor of the "Patriot," that I cannot pass over without a severe reproof. It certainly contains a more "malicious" assertion than I ever made about the bank, or its "framers." The sentence contains a distinct, or separated idea, in itself, and is as follows:

"On the whole, we are sorry to perceive Mr. NILES reviving the *absurd notion*, that the FRAMERS OF THE BANK INTENDED to 'furnish a circulating medium of equal and certain value in all parts of the United States.' He ought to know that on principles of commerce, this is impossible, or he is unfit to conduct a paper of the pretensions of his Register."

Really, Mr. Howard, this is a terrible stroke at "the framers of the bank!" You must be mistaken, or they were a set of the most "abominable" knaves that ever existed—for every one of them said that they would do it, if they received an act of incorporation; and when the bank went into operation, they did do it, of their own free will and accord, for a considerable time; it was only on the 28th of August, last year, that the bank ceased "to furnish a circulating medium of equal and certain value, in all parts of the United States" Before the charter was granted, Mr. DALLAS, secretary of the treasury, said, the bank was "to supply a circulating medium of

EQUAL USE AND VALUE IN EVERY STATE AND IN EVERY DISTRICT OF EVERY STATE;" and so said *all* that were friendly to its establishment. Nay, that it would be so, was an *accepted fact* with nine-tenths of those that were opposed to the institution. A reference to the projects of the treasury, the petitions in favor of a charter, and the debates in congress—in short, to all and any of the *public* proceedings that took place, which in anywise belonged to the bank, *until the 28th of August, 1818*, (when the famous circular was issued by the bank, which prevented the receipt of the branch notes on deposit, except at the places at which they were made payable) exhibited the *intention* to do the "absurd" and "impossible" thing, which the editor of the "Patrol" says the "framers of the bank" never intended to do!" It may be, that the whole of these proceedings were designed to gull the people out of a charter in the first place, or soothe them a little after the charter was obtained, in the second; but I am not prepared to say that all the "framers of the bank" were guilty of DELIBERATE FALSEHOOD, as Mr. Howard would assure us that they were. Indeed, Mr. H. you are too severe in your attack upon the *honesty* and *intelligence* of the "framers of the bank." I never said any thing of them half so bad as you, their friend, have said about them.

Finances—Public Debt, &c.

FROM THE NATIONAL MESSENGER.

It was foreseen by the Secretary of the Treasury, and frankly stated by him to Congress, at the commencement of the last session, that the pressure which would be produced upon the community by the diminution of the circulating medium, (a diminution essential to the restoration of a metallic currency) would have an injurious effect upon the public revenue. To this has been added another evil, which no foresight could perceive—the difficulties resulting to the mercantile districts of this country, in consequence of the great and sudden commercial embarrassments throughout all the European nations connected in trade with the United States.

The effect of these unfavorable circumstances has, however, been found less prejudicial to the revenue than might have been expected. Such is the good faith which characterizes the American people, and especially in all transactions with their government, that the strongest desire has been every where manifested by the public debtors to fulfil their engagements to the nation. Hence, the receipts into the Treasury during the present year, though they have fallen short of the amount which ought to have been paid, have, nevertheless, exceeded the general expectation. From the *customs* alone, the nett sum paid into the Treasury during the last quarter, falls very little short of *six millions of dollars*:—exceeding by one million, six hundred thousand dollars, the amount received from the same source during the preceding quarter. Yet in no instance has any severity been resorted to in the collection. The indulgence granted, has, indeed, been considerable; but in every case where further time was allowed, additional security has been obtained. It may be worthy of inquiry, however, considering that the proceeds of the customs constitute the principal part of the public revenue, how far it is prudent to continue to add to the precariousness to which they must always be exposed by the fluctuations in our foreign commerce, the uncertainty of collection, which must necessarily result from the credit system which now prevails at the custom houses.

From the *Public Lands* the receipts have been

highly satisfactory: It was in this branch of the revenue that the greatest falling off was anticipated, owing to the disordered state of the currency in the principal part of the Western country. But in proportion to the difficulty which was apprehended, has been the care employed to obviate it. And if, in this important branch of the national income, the receipts have not only not fallen short, but have exceeded the general expectation, it is, in a great measure, to be attributed to the arrangements made by the Secretary of the Treasury for facilitating the means of payment by the purchasers of lands. This accommodation he has been able to afford with safety to the public. And, moreover, the measures adopted for that purpose have had a beneficial effect upon the money concerns of those parts of the union included within their operation; and, while they have tended to bring them to a sounder state, they have mitigated the evils to which they had exposed the whole western country. The nett sum paid into the Treasury during the last quarter, from the public lands, exceeded *one million one hundred thousand dollars*, besides a large amount of Mississippi stock received for lands in Mississippi and Alabama.

The whole of the nett receipts into the Treasury for the half year, ending on the 30th June last, may be stated as follows:—

From the Customs, - - -	\$10,330,000
Public Lands, - - -	2,293,000
Miscellaneous sources, - -	927,000

Total, \$13,550,000

In the present conjuncture of our affairs, any conjectures respecting the future state of the revenue, must be necessarily uncertain. It is hoped, however, that the causes which now affect it so unfavorably, will not increase. If this hope be well founded, it is probable that the receipts from the customs during the whole of the year 1819, will approach the sum estimated by the Secretary of the Treasury, while those from the public lands have already almost doubled the amount estimated for the whole year, and will, perhaps, go on at nearly the same rate during the current six months. Indeed, there seems reason to believe, that notwithstanding all the adverse circumstances before alluded to, the revenue received into the Treasury during the present year, will be sufficient to defray the whole expenditure of the year, besides paying off all the public debt, which, by the conditions of the respective loans, is now redeemable.

Some observations have been made in various papers of the United States, respecting the payment of the Louisiana stock. These observations have had reference wholly to the policy of that measure in the present circumstances of the country. It is not, however, the circumstances of the country, nor even the state of the Treasury, that the commissioners of the sinking fund have to regard. They are required by law to apply to the extinguishment of the public debt, ten millions of dollars annually, (or so much of that sum as the conditions of the loans and the prices of stock will permit) whatever may be the state of the country, or of the Treasury; and all the public monies in the Treasury, except six hundred thousand dollars, are placed at their disposal for that purpose. In addition to these ten millions, they are authorized to apply whatever other monies may remain in the Treasury beyond two millions of dollars, after all the appropriations made by law are discharged.

Now, the public debt can be extinguished by the commissioners of the sinking fund only in two ways; by purchase and by redemption. The price of stocks being above the price limited by law, they could not

be purchased; and the Louisiana debt, being the only one of which any part was redeemable, it, of course presented itself as the proper object on which to apply the means at the disposal of the commissioners. By the terms of the Louisiana Convention, the redemption of this debt was to begin on the 21st of October, 1818; and it was to be discharged in annual instalments of not less than three millions of dollars each. The debt then amounted to nearly ten millions of dollars; and, although the convention would have been satisfied by the payment of one third, the provisions of the law, which required the commissioners to apply as much of the ten millions, and of any monies in the Treasury exceeding the appropriations by two millions of dollars, as, by the conditions of the loan, could be applied, would not have been satisfied with that sum. *The payment of at least one half of the debt became, therefore, obligatory upon them.*

The instalment of the Louisiana debt, which the commissioners determined to pay off in October last, amounted to \$4,977,950; of which, \$3,701,800 was owned in Europe. The instalment payable next month is \$2,688,093,* of which, nearly the same proportion is owned abroad. The whole sum, however, is payable in the United States. And if a part should be withdrawn from the country by the foreign owners, whatever inconvenience may be produced by the transfer, is chargeable to the law which permitted foreigners to own the debt, and which prescribed the time of payment—and not to the Secretary of the Treasury, who pays only what the law enjoins.

Respecting the pecuniary embarrassments which the measure in question is supposed to have brought upon the country, it may not be amiss to offer one observation. No charge was ever more unfounded than that which attributes to the Secretary of the Treasury an indifference to the state of the times. It will be seen, by the records of Congress, that he more than once presented to the view of the legislature the pressure upon the community:—and during the whole of his administration of the affairs of the Treasury, his endeavor has been to alleviate the distress. His conduct towards the public debtors, towards the bank of the United States, and towards the state banks, affords abundant evidence of the fact. As it respected the payment of the debts, his duty was imperative. All that he has done, was enjoined by the laws. But, if any previous preparation were necessary, has there been no cause of blame elsewhere? Have the retrenchments, required for the occasion, been made by the community itself? The Louisiana Convention has been sixteen years upon the statute book. It must, therefore, have been known to every one, that the first instalment of the Louisiana debt was payable on the 21st of October, 1818. It was equally known, that this instalment could not be less than three millions of dollars. And it was well known, by the report of the Secretary of the Treasury, made to Congress nearly a year before the instalment was payable, that it would amount to nearly five millions of dollars. The measure, therefore, has not come upon the community by surprise. And if due preparation has not been made to meet it, it is to themselves alone that they must charge the consequences.

It is probable, that no great evils have resulted, or will result, from these payments. As far as respects that part of the debt which belonged to Ame-

rican citizens, the effect has been to disengage so much of the monied capital of the country which was before locked up in a loan to the government, and to make it active for other purposes. And, as to the foreign part of the debt, the inconvenience which was anticipated from withdrawing so large a sum from the country has not occurred. The amount of the public debt of the United States owned abroad, was, on the 1st of January, 1819, only five hundred thousand dollars less than the amount on the 1st of January, 1818. Whence it may be inferred, that of the \$3,701,800 paid off on the 21st of October, 1818, *three millions* of dollars were re-invested in American stocks before the close of the year.

The reduction of the public debt has always been a primary object with the republican party. The same policy is still adhered to. And to those who regard it as essential to the purity of our political system, it will be gratifying to know, that, during the administration of Mr. Monroe, more than twenty five millions of the public debt have been extinguished.

The *National Intelligencer*, in calling the attention of its readers to the preceding article, makes the following remark:

"There is one fact, of some importance, not mentioned in this *expose*, which is currently reported, and we presume is true; that the Bank of the United States has assumed the payment of that portion of the Louisiana debt redeemable in next month, and that foreign holders have cheerfully consented, that the payment, by the Bank, of the amount of the stock held by them, shall be deferred for three years, the Bank paying them the same rate of interest as they have heretofore received from the government. The effect of this measure will be, to leave this amount to be employed in the aid of commerce here, instead of sending it abroad to redeem the Louisiana stock, which is almost altogether held by foreigners. It is supposed it will have the further desirable effect of enabling the Bank of the United States to re-discount a portion of the amount of the loans which they have drawn in by curtail since the 1st day of October last."

Foreign Articles.

GREAT BRITAIN AND IRELAND.

It appears that many boys of 15 and 16 years of age, have been dealing in the stocks at London! These speculators were short to the amount of 900,000*l*. Another blessed effect of the "paper system."

The steam ship Savannah has sailed for St. Petersburg. Her visit is *wisely* supposed to be *somehow* connected with the "ambitious views" of the United States!

Large meetings of the people have been held in many places calling for reform, &c.

A young man, supposed to be the heir of a "most noble marquis," was just on the point of being married to the daughter of a noble earl, when it was found out that his mother had not been born in wedlock, and that she had been *married* to his father by *license* and not by *banns*! He was at once ignobled and illegitimized!

Six Leghorn hats were purchased by a Russian nobleman, as presents for Russian ladies, at Vyse's, the cost of which was 180 guineas: (three hundred and fifty-five dollars each.)

By the explosion of a coal mine, near Newcastle, about 40 persons lost their lives.

Capt. S. Roberts has been appointed to the naval service on the lakes of Canada.

* This instalment is reduced below three millions, by the purchases heretofore made of the Louisiana debt, by the Commissioners of the sinking fund.

Two ships of 74 guns and a frigate, were about to sail for the "South American station"—one of them was equipped with great celerity. They are under command of com. Sir Thomas M. Hardy. No reason is assigned for this proceeding.

The present harvest uniformly throughout England, is the finest and most abundant that has been known for many years.

The princess of Wales is returning to England. Her sudden resolution to do so, has thrown her dear husband and his court in a great perplexity.

D'Evercaux's legion, consisting of eight regiments, sailed from Dublin the day before the "foreign enlistment bill" went into operation.

Price of Stocks in London, Aug. 4.—Three per cent. consols, 71 1-8 71 1-4 71; consols for account, 71 1-4 1-8 3-8 71 71 1-8; omnium 4, 3-4.

London, July 29—Mr. Hase, from the Bank of England, has just now made a communication to the stock exchange, that the Bank of England declines taking in the omnium, (that is, that they will not pay the future instalments, on being allowed 5 per cent. interest for the advance). The funds have already fallen a half per cent. Great fluctuations are expected.

REFORM, DISTRESS AND DISTURBANCES.—Many arrests have taken place. Among them the editor of the *Manchester Observer*—a very spirited and ably conducted journal. The constable who arrested Mr. Harrison on a charge of sedition, was shot in the street, and dangerously wounded in the breast. It was believed that he would die. A reward of 400*l.* is offered for the apprehension of the offenders. The event is mentioned *coldly*, "as a bullet having been put in a sheriff's officer," and a *Manchester paper* says "*Should a second Oliver be discovered, it is devoutly to be wished that no time will be given for bills of indemnity; but that a noble Brutus will be found upon the spot, to place in such miscreant's heart a* *!!*" [His Oliver, it will be recollected, was a rascal employed by the government, to insinuate himself into the confidence of the people, and then *sneak away* their lives.]

Two of the persons supposed to be immediately concerned in shooting the constable, at Stockport, have been arrested—the affair appears to have been deliberately accomplished. His house had before been surrounded with a mob, threatening to pull it down. A letter, speaking of the assassination, says, "God only knows whose turn may come next. I am fearful the matter will not end here." A detachment of troops had arrived there.

There was much altercation in the common hall of London, when a motion was made to thank the lord mayor, for his exertions at the Smithfield meeting.

Meetings had been held at Wakefield, Rochdale, Leeds, Paisley, and at other places, and from 4000 to 30,000 persons were assembled, at which resolutions were passed, alleging that the cause of the distress of the country was to be found in the burthen of taxation, and in the bad system of government, and calling for annual parliaments and universal suffrage.

Female reformers! London, July 24. —The hopeful example of Blackburn could not possibly be lost upon Stockport; so a female club has been formed there also. There are circumstances hanging about the nonsense, which are too serious for humor, yet it is scarcely possible to avoid a little disorder of the nerves, beyond the line prescribed by lord Chesterfield, when we peruse such Spartan documents as the following. The first is the termination of an epistle to the *Manchester Observer*, by the secreta-

ry of the female club, at Stockport, who is indignant at the *Liverpool Courier*. The preceding part, relating to the formation of said society, we omit.

Extract—"We hope the *Liverpool Courier* will not start from his seat when he reads the declaration and rules of the Female Union Society; which declares that *we* will instil into the minds of our children *what he calls* revolutionary principles, but what we call principles which will safely carry them through the maze of political ignorance which now pervades the circle of the *higher order*."

On behalf of the committee,

MARY HALLAM, Sec'y.

Union Rooms, London-place, }
Stockport, July 14, 1819." }

"To the Editor of the *Manchester Observer*,

SIR—I send you the following 'Rules of the West of England Female Union Society' to shew that the flame of liberty from the north has reached the west.

Your obedient servant,

AMICUS.

"That we assist the male population in recovering their invaded rights, and in obtaining a full, free, and fair representation in parliament, by means of householders' suffrage, annual parliaments, and election by ballot. That every female, on being enrolled a member of this society, pay down one shilling, and continue to pay one penny weekly, so long as she shall remain a member.

"That the unmeaning distinction of whig and tory be not entertained, but that we train up our children in the investigation of measures, and strongly persuade them that no man ought to be entrusted with power any length of time, which should enable him to abuse it. That our representatives should be elected by *private ballot* as the *only* means of annihilating corruption. That every county, according to the number, of electors, should elect their share of representatives.

ELIZABETH RUSSEL,

Chair-woman for 1819."

The following is a copy of a handbill issued in London, previous to the Smithfield meeting—

"*To the Non-represented*—May that day of trial, which our intrepid leader, in his answer to our requisition, said could not be far distant, be THIS DAY. UNIVERSAL SUFFRAGE, ANNUAL ELECTIONS, AND VOTING BY BALLOT, if possible, without breach of peace; but at *all hazards*, those objects.

"No riot, no bloodshed, by choice; but blood-thirsty despots *must* grant our rights. If that overgrown pauper, if the puppet of C—, of L—, and of S—, whose villainous impudence at the late prorogation of the houses of Corruption, could mock the miseries of the non-represented by jargonising about our happy constitution! If he can be put down without breach of the peace, let peace be preserved. If that compound of villainy and fraud, the B**k of E****d—if those who deserve the punishment they inflict upon their fellow counterfeiter, and merit halters more than the forgers they hang, can be annihilated without breach of the peace, let all be peaceful. Peace is our wish; but let us never forget that RESISTANCE TO OPPRESSION IS THE CONSTITUTIONAL PRIVILEGE OF EVERY BRITON.—In London, Westminster, and Southwark, there may be about 20,000 voters. Shall a MILLION of stout non-franchised hearts, reduced to the abject condition of *slaves*, lick the feet of such a comparative handful of rascals, who trample upon us, as they are *lorded over* by superior scoundrels? Shall ten times tenfold the whole body of electors in infamous Westminster, crouch to those who, in a 13 days' poll, insulted the 'vener-

able CAUSE with 38 voices! None but panders to the Borough thieves of both the factions, can maintain that any practical liberty remains to once free England. It this work can be done without fasting, praying or peace breaking, *good*; but if the unspeakable grievances of the non-representation cannot be redressed without vengeance, 'tis better to break our chains upon the heads of our common tyrants, than longer to endure our servitude. And oh! if the day of trial is come, recollect that the corrupt knaves of the DAILY LONDON PRESS, with their *Hellish Types*, have been our greatest oppressors.

July 21, 1819."

At Manchester a meeting of the magistrates was held on the 24th of July, calling upon the peaceable inhabitants to form themselves into voluntary associations, and to furnish themselves with arms, to act as occasion may require. It was stated at the meeting that there was not only a disturbed spirit existing among the disaffected, but that there were preparations making for offensive measures. The grand meeting of the reformers, which was to have taken place at Manchester on the 2d August, is postponed to the 9th of that month.

Rochdale, July 26. The procession began to move about 2 o'clock and was headed by at least 5,000 female reformists, and followed by about 30,000 men, bearing but too sad an evidence of the distress of the times, but withal so terrible in their appearance as to make the boldest tremble. Only figure to yourself 5,000 desperate women, with six times that number of the other sex, whose situation could not, perhaps, by any chance be much worse, assembled in one mass, with not above 100 military for the defence of the loyal and peaceable inhabitants, or to repress any tumult that might be expected to occur. I hardly need inform you that all the shops were closed, and business of every kind entirely at a stand. The cap of liberty was carried in front, with other banners bearing inscriptions: on one was "destruction to all legitimate governments;" on another, "annual parliaments, &c. or death to those in authority who oppose their adoption;" on a third "The memory of Paine, Arandeth, &c;" on a fourth, "success to female societies."

Some trifling insult or some pretended one, being offered by a drunken fellow, who had been bawling out "church and king forever—confusion to all reformers!" caused such a scene of terror, and I may add mischief, as never before occurred in this place. What windows were left exposed were shattered in an instant, particularly those which were graced by females of respectability: insults of the grossest description were offered to the latter, by those of their own sex who were in the mob; and nothing but the appearance of the few military we had, could have prevented the most alarming consequences. Thanks, however, to the judicious arrangements of our town magistrates, major Berwick and captain Ouseley, and to their presence on the spot, the threatened danger was avoided. The red cap of liberty was torn down in an instant and all the other flags followed as if a sudden paralysis had seized the standard-bearers; the mob filed off in every direction, and, as was thought, not to re-assemble. But the minds of these misguided men and women were too thoroughly imbued with sedition, conspiracy, and rebellion to be driven off the field with so little ceremony.—They assembled again at the place originally fixed for the meeting viz. Cronkshaw Moor, about a mile from Rochdale. Parson Harrison was the prominent character on the occasion. The Old Marjory's bell was to

be proposed as a rallying point, and to be their answer, it asked what they wanted.

The post leaves at five, and prevents me from giving you the finale of this day's business.

London, July 29. We have received undoubted intelligence, that a *female union society* is at this moment forming in the metropolis itself! No doubt it will consist of but a few, and those the most depraved of their sex; but still it is horrible to reflect, that the female character should in a single instance be rendered so odious and disgusting, or that a single child should be inspired by its mother with the sentiments professed by these furies.

Liverpool, July 31. The discontents and disturbances in this and the neighboring counties having begun, at length, to assume a very serious aspect, a general meeting of the magistrates of Lancashire and Cheshire, of all political parties, has been held at the New Bailey, in Manchester, to take into consideration the alarming appearances which have lately been manifested. Measures of this kind are now, indeed, become absolutely necessary.

Aug. 1st 3. The meeting at Manchester, with *Hunt* to preside, will certainly take place on Monday, unless the measures adopted by the magistrates should prevent it. They have publicly noticed persons from attending, by a notice posted up in the streets of Manchester, and signed by a committee appointed by the magistracy of the two counties. The object of the meeting, they affirm, and very properly, to be illegal, inasmuch as it is called for the purpose of electing a citizen to represent them in parliament. The people, therefore, are cautioned, at their peril, not to attend, and we hope this timely notice will have the desired effect.

Office of the *Chester Chronicle*, July 28. A movement is anticipated among the disaffected early in the ensuing week. Every civil and military precaution is taken to thwart their designs.

Harrison, the seditionist, obtained bail on Friday.

Twelve o'clock.—A considerable quantity of ammunition has just been forwarded from the castle for the disturbed districts: it was escorted by a guard of the 71st regiment.

The principal papers that have reached us, state the march of the troops to be pouring particularly on the counties of York, Lancaster and Chester. A division of artillery, which reached this city on Monday last, continued their route on Tuesday, for the northern districts: on Tuesday and Wednesday, the first and second divisions of the 31st regiment of foot, marched in upon us; and proceeded on Wednesday and Thursday, on their route for Stockport, which seems to be a marked point, round which a cordon of troops, both horse and foot, are forming in considerable numbers. The country is hourly becoming in a more frightful state.

On Monday last, 1,000 stand of arms, with a proportionate quantity of ammunition, under the escort of an officer's party, were forwarded from the depot of Chester Castle, to Manchester, for the armed association of that populous town. Prevention is better than cure. There are now arms, &c. in our castle for about 50,000 men.

Distress. Owing to the great accumulation of stock, some of the principal woolen manufacturers in the neighborhood of Leeds, have intimated to their workmen, that till trade improves, they can be allowed to work only 4 days in a week instead of 6.

Some very shocking extracts from an Edinburgh paper have been published in the *Times*, concerning the distresses of the Sutherland Highlanders. It appears that the marchioness of Stafford, desiring

to convert her whole estate into a sheep farm, has leased it to a single tenant, and in order to give him entire possession, 300 cottages have been burnt, and near 3000 poor creatures bereft of a shed to cover them. A sort of valuation, it is observed, is put upon what may be supposed to be their constructive right to fixtures, &c. which is paid and the building set fire to! It is not imputed that any thing here is done contrary to law; these were tenants, and they paid their rent; ejectments had been served upon them, and the law took its course. Here is a practical commentary on the civil rights of Britons. We are tempted to lament that there are no poor laws in Scotland, to oblige the owner of the soil at least to build a work-house for the miserable outcasts!

☞ The above are given as mere types of what is going on.

Latest—London news of the 9th Aug. By the Courier, it appears, that the disaffected in the disturbed districts, have been checked, but not subdued. Bold attempts were still made to hold meetings, but it was hoped that perseverance on the part of government would accomplish tranquility.

From the London Gazette, July 31.

By his royal highness the Prince of Wales, regent of the united kingdom of Great Britain and Ireland, in the name and on the behalf of his majesty,

A PROCLAMATION.

GEORGE, P. R.

Whereas in divers parts of Great Britain, meetings of large numbers of his majesty's subjects have been held upon the requisition of persons who, or some of whom, have, together with others, by seditious and treasonable speeches addressed to the persons assembled, endeavored to bring into hatred and contempt the government and constitution established in this realm, and particularly the commons house of parliament, and to excite disobedience to the laws and insurrection against his majesty's authority:

And whereas it hath been represented unto us, that at one of such meetings the persons there assembled, in gross violation of the law, did attempt to constitute and appoint, and did, as much as in them lay, constitute and appoint, a person then nominated, to sit in their name and on their behalf in the commons house of parliament; and there is reason to believe that other meetings are about to be held for the like unlawful purpose:

And whereas many wicked and seditious writings have been printed, published, and industriously circulated, tending to promote the several purposes aforesaid, and to raise groundless jealousies and discontents in the minds of his majesty's faithful and loyal subjects:

And whereas we have been further given to understand, that, with a view of the better enabling themselves to carry into effect the wicked purposes aforesaid, in some parts of the kingdom, men, clandestinely and unlawfully assembled, have practised military training and exercise:

And whereas the welfare and happiness of this kingdom do under Divine Providence chiefly depend upon a due submission to the laws, a just reliance on the integrity and wisdom of parliament, and an steady perseverance in that attachment to the government and constitution of the realm, which has ever prevailed in the minds of the people thereof; and whereas there is nothing which we so earnestly wish as to preserve the public peace and prosperity, and to secure to all his majesty's liege subjects the entire enjoyment of their rights and liberties:

We, therefore, being resolved to repress the

wicked, seditious and treasonable practices aforesaid, have thought fit, in the name and on the behalf of his majesty, and by and with the advice of his majesty's privy council, to issue this our royal proclamation, solemnly warning all his majesty's liege subjects to guard against every attempt to overthrow the law, and to subvert the government so happily established within this realm; and to abstain from every measure inconsistent with the peace and good order of society, and earnestly exhorting them at all times, and to the utmost of their power, to avoid and discountenance all proceedings tending to produce the evil effects above described.

And we do strictly enjoin all his majesty's loving subjects to forbear from the practice of all such military training and exercise as aforesaid, as they shall answer the contrary thereof at their peril.

And we do charge and command all sheriffs, justices of the peace, chief magistrates of cities, boroughs and corporations, and all other magistrates throughout Great Britain, that they do, within their respective jurisdictions, make diligent inquiry in order to discover and bring to justice the authors and printers of such wicked and seditious writings as aforesaid, and all who shall circulate the same; and that they do use their best endeavors to bring to justice all persons who have been or may be guilty of uttering seditious speeches and harangues, and all persons concerned in any riots or unlawful assemblies which, on whatever pretext they may be grounded, are not only contrary to law but dangerous to the most important interests of the kingdom.

Given at the court at Carlton-house, this thirtieth day of July, one thousand eight hundred and nineteen, and in the fifty ninth year of his majesty's reign,

FRANCE.

General Sarrazin has been tried at Paris, and found guilty of bigamy. He was sentenced to pay a fine of 40,000 francs to the last lady which he married, by way of damages, and to suffer ten years imprisonment.

SPAIN.

The crew of the late Buenos Ayrean privateer Constitution, 73 in number, are confined in the castle of St. Sebastiano.

A Madrid article, of July 22, says—"The ex-ministers of state, Pizarro and Yrujo, have been conveyed to Valverde, a small village in the environs of Madrid, where they are confined in a convent and strictly guarded. This measure has been adopted to accelerate and facilitate the prosecution instituted against them."

About 3000 troops which lately left Cadiz, have arrived at the Havana. They are under the command of gen. Gaggial, and most probably destined to assist Morillo, in Venezuela. Some suppose they are bound for the Floridas. What would they do there?

Troubles.—A letter from an American, dated Gibraltar, July 19, to his friend, in Norfolk, contains the following important information: "You will have heard so much about the banishment of the Marquis Yrujo from Madrid, before this can get to hand, that it is useless to trouble our with the story now,—A matter of more importance is before me: the grand expedition at Cadiz has exploded. Just at the moment that 20,000 troops were in the highest state of equipment for foreign service, 15,000 laid down their arms and scampered off in all directions!!

"Several fugitive officers have arrived here, who state that O'Donnell, their governor and chief, from the first had projected a plan, that when the expedi-

tion was complete, instead of embarking the troops for South America, he would march them to Madrid, and demand the Constitution and Cortes; that in the progress of this plot he had enlisted the general and subaltern officers, and three fourths of the army, and found out that the rest were loyal and devoted to the king. That he called a grand review of the whole (preparatory to divulging publicly the scheme that they tho't was about to be consummated) at St. Mary's, over the bay of Cadiz. That he secretly gave orders that the disaffected regiments should be provided with blank cartridges, and the loyal (5000) with ball, the latter of which he took command of in person, formed them into a square, and under pretence of having some orders to communicate, called all the officers of the other regiments to the centre, when he informed them *they were prisoners*; then riding up to their division ordered it to ground arms. Seeing they were betrayed, and panic struck at the capture of all their officers, the troops, 15,000 in number, laid down their arms and fled in the greatest consternation in every direction, nor was any effort made to stop them. The officers were put in confinements, consisting of eighteen general and eight hundred subalterns. O'Donnell himself has gone to Madrid to know what is to be done with them, and what measures are necessary to be taken in such an extremity.

"Such is the history of the business, as we get it from the officers who have fled to this place, and from travellers coming over. No one dare trust an account of it upon paper, through the post office. This is, however, sufficient to show that the expedition is destroyed, which these officers say no power of the king can restore! It is not to be supposed that so great a rebellion is over at once—more may be looked for.

P. S.—Many of the merchants of Cadiz it appears, were concerned in the conspiracy—three of them fled and have just now arrived here, one of whom had subscribed one hundred thousand dollars to raise the ways and means.

"Capt. Sebina Sears, who has been long a captive of the Spaniards, and confined on the Island of Mellillo, on the coast of Barbary, has made his escape and got amongst the Moors. It is expected he is now at Tangiers."

"20th. New troubles have broken out in Valencia. Elío, the governor, is said to have been assassinated!"

The above is substantially confirmed, by many accounts. Both at Madrid and London, O'Donnell's proceedings are regarded as mystical—his objects are not understood. He has so managed the matter, that the *grand expedition is at an end*, at any rate! A letter from Madrid, dated July 16, after expressing several conjectures about the affair, says, "One thing, however, is certain, and that is, that the affair is only at the beginning. It is only one train to the grand mine that hitherto has been fired. Among the prisoners are general Cruz Murgeon, the two San Vigueles, Quiroga, Ponte, Elizizín, and many other distinguished men."

It seems to be certain that O'Donnell was himself at the head of the insurrection; but changed his mind, thinking that he could make more out of a suppression of it!—The preparations for the expedition, which is now completely dissolved, are said to have cost thirty millions of dollars—and that as much more will not repair the disaster! *Laus Deo*—SOUTH AMERICA MUST BE FREE.

Cadiz is represented to be in a state of utter confusion and wild uproar.

Several small armed vessels, cruising to protect

the coast, have been captured by two Buenos Ayrean privateers.

GERMANY, &c.

Late Paris papers state, that the inquiries which have been instituted, in consequence of the murder of Kotzebue, and the recent attempt to assassinate M. Ibel, have led to the discovery of a conspiracy in several German universities, to overthrow the existing governments in Germany, and convoke a general assembly, to be stiled *the senate*, which should elect a prince to govern the whole Germanic territory.

It seems now to be admitted that Sand, who assassinated Kotzebue, had accomplices. It is believed that a very extensive conspiracy exists.

Many plots and conspiracies are spoken of in the German papers—a certain "Deputy Tochrenbach" received the following letter, which has caused considerable excitement—"MAN!—Thou who lives and thinkest to live longer, listen! K—— (Kotzebue) spoke against a whole nation—and, he is dead! Thou who speakest against a single class, and seekest to plunge it in misery, think of thy existence!"

Unsuspected persons are arrested in several parts of Germany, and especially at Berlin.

It is evident from the news we receive from different parts of Germany, that there exists in that country a number of daring conspirators, whose plan is to introduce disorder and anarchy. The plots against the public safety are not, however, confined to professors and students. The same criminal enterprises are projected by men of various professions and conditions. The arrests which have taken place at Berlin, Magdeburg, Jena, and Heidelberg, are calculated to excite the most serious reflections. The interest which some infamous journals have endeavored to attach to the assassin of Kotzebue; the attempt lately made at Swabach; the calumnies against the most respectable persons in Germany; the small number of writers devoted to the cause of princes, and the conservative principles of social order; are circumstances which ought to excite the particular attention of the sovereigns of Germany. Incendiary writings and poniards were found upon the persons lately arrested at Magdeburg. [*London paper.*]

The Bavarian deputies have accomplished much in favor of the liberties of the people, and a liberal government is, or will be, established.

A report is stated to be prevalent in Germany of an intended convention between Austria, Prussia, and the federated German states, by which these powers are to maintain, for twenty years, the most perfect neutrality in all the wars that may arise.

In Prussia several officers of the guards have been arrested, and others have been transferred to regiments of the line.

The ministers of the principal powers of Europe are, it is said, to assemble immediately at Carlsbad.

Württemberg. Letters from Frankfort mention a report as being current in that city, that the king of Württemberg, whilst at Schwalbe, was attacked in his apartments by four men in masks, who however, did not lay hands upon him, but contented themselves with telling him in a menacing tone, that for the future he must govern with more good faith and justice, as otherwise he would fall a victim to the sacred cause of the people.—The details of this attack are not known, but the report has caused an extraordinary sensation.—*Paris paper.*

Paris, July 25. A letter which Kotzebue had written to his mother, contains the following description of the objects of his mission in Germany. "The emperor of Russia had directed me to

give a monthly account of all new ideas on politics, finance, war, public instruction, &c. which may be published in France or Germany. Extracts of my reports are addressed to the ministers whom they respectively concern. This occupation is not only in perfect harmony with my inclinations, but it may be productive of the greatest advantage to the Russian empire. How many advantageous and useful facts may be conveyed to the emperor and his ministers, which, were it not for my reports, would never reach him."

Rastadt, July 15.—Two students of the university of Fribourg, have been suddenly taken into custody. The papers of several others have been seized. It is asserted, that some investigations set on foot in the university of Giesen, have brought to light an association of several universities.

PRUSSIA.

In the course of the year before last, the number of individuals vaccinated in the Prussian monarchy amounted to 367,695.

Prussia, July 11.—Our government exercises at this moment a very active vigilance:—several violent characters have been arrested. A few days ago, the authorities seized the papers of various students, as also those of an university professor. These unexpected measures have excited the most anxious feelings.

EAST INDIES.

Plunder. The share of a colonel Adam,—of the "prize money," captured at Caum, amounted to 60,000 sterling.

The shipping belonging to the port of Bombay are in number forty six, measuring 21,250 tons, navigated by 130 Europeans, as commanders and officers, 450 native Portuguese, as gunners, seacunnies, cooks, topasses, &c. and 2,550 Lascars.

CAPE OF GOOD HOPE.

A London paper says—Advices from the Cape of Good Hope, of May 10th state, that there had been another irruption of the Caffres, who, by the last accounts were supposed to be completely repulsed, to the number of 80,000 men. They had crossed the river which divided their territory from that of the Cape, and were committing the most extensive depredations. Orders had been given to the military force at the Cape to repel the invaders.

WEST INDIES.

Havana—713 vessels entered the port of Havana in the first seven months of the present year—of which 302 were American—191 Spanish—91 English—35 French—10 Dutch—5 Hamburg—5 Bremen—4 Danish—4 Swedes—1 Russian—2 Portuguese—5 Sardinian. It would make no small difference in our trade, if Cuba shall be ceded to England, as is so much talked of, and which the British editors claim as an indemnity to them for the cession of Florida to us!

In consequence of the extension of the trade, negro-flesh has fallen considerably in Cuba—from 450 to 500 dollars is the highest price paid for prime slaves—1728 arrived there in the last month!

A new governor has reached Havana, with 3000 troops—see "Spain." The people are much alarmed by an expected insurrection of the slaves.

VENEZUELA AND NEW GRANADA.

We have the details of the capture of Barcelona, by the squadron and troops under command of admiral Brion. His fleet consisted of 14 armed vessels, besides the transports, also armed, and five flecheras, carrying heavy artillery—and the land forces must have amounted to more than 2000 men. The royalists did not make much resistance; but a good many of them were intercepted in their flight,

and a number of vessels were captured. 20 pieces of cannon were also taken at Barcelona and the Moro. The land forces were 1000 English, under col. English, 400 Germans, under col. Urslein, the rest creoles. They had proceeded to Cumana, and were besieging it.

General Marino has a second time defeated the royal general Arana, at Chispero. The last battle seems to have been a very sharp rencontre. The commander and only about one hundred men were supposed to have escaped. Gen. Marino had great difficulty to prevent his men from putting every one to death that fell into their hands, as Arana had desolated and depopulated the whole country through which he had passed—he, however, succeeded in preserving 100 of them as prisoners. The entire royal force sent against Marino, consisted of 1000 infantry, 150 cavalry, 150 volunteers, of St. Matco, and 250 flecheras, (men with bows and arrows,)—and all appear to be destroyed in the two battles, except the few that escaped with the general, and all the arms, camp equipage, and munitions, have fallen into the hands of the patriots; whose loss in the last battle, was 24 killed, 47 dangerously wounded, and many slightly hurt.

MacGregor remained at Aux Cayes. His army was reduced to 4 officers and 15 men—the former he had knighted, having lately instituted an order!

CHRONICLE.

Philadelphia mob. The boy was not killed, as reported—nor were any lives lost. One of the printers said the principal part of the mob was Irishmen. He has been compelled to retract this; for the persons arrested as leaders of the outrage were natives of the city.

The expedition to the Upper Missouri advances slowly, and the men had been badly off for provisions, in consequence of the little progress made by the steam boats in which they were deposited. These do not appear to be fitted for the purpose of ascending the river, though the boat *Independence* went up to Franklin with great ease and safety.

Persons wishing to correspond with their friends engaged in this expedition, are advised to address their letters to "Franklin, Missouri;" the most western post-office, and directly on the route.

Doctor Gibson, of Baltimore, was recently elected the professor of surgery in the university of Pennsylvania. The lectures in that institution commenced on the first Monday in November.

Mr. Joseph Bonaparte has purchased 150,000 acres of land of Mr. Le Ray Chaumont, situated in the north of New York, which he is about to improve.

Tennessee. Col. McMinn has been re-elected governor by about four-fifths of all the votes given by the citizens of the state.

Mississippi. George Poindexter, esq. late representative in congress, has been elected governor of this state, and Christopher Rankin, esq. is chosen to succeed him in congress.

Illinois. Daniel P. Cook, esq. is elected representative in congress of the state of Illinois.

Volunteers!—no impressment! An armed vessel lately boarded a French ship in the East India seas. Alier crew spoke French. The people of the merchantman were paraded on deck and the commander of the armed vessel asked, aloud, *who wished to serve Napoleon?* when four men offered their services and were accepted!

"A rattlesnake's mate, or cousin" was lately killed at Wilton, R. I. in which were found *eighty two* live young ones, from 9 inches to a foot in length.

Constitution of the state of Alabama.

ADOPTED AUGUST 2d, 1819.

We, the people of the Alabama territory, having the right of admission into the general government, as a member of the union, consistent with the constitution and laws of the United States, by our representatives, assembled in convention at the town of Huntsville, on Monday the fifth day of July, one thousand eight hundred and nineteen, in pursuance of an act of congress, entitled "an act to enable the people of the Alabama territory to form a constitution and state government, and for the admission of such state into the union, on an equal footing with the original states;" in order to establish justice, ensure tranquility, provide for the common defence, promote the general welfare, and secure to ourselves and our posterity, the rights of life, liberty and property, do ordain and establish the following CONSTITUTION, or form of government; and do mutually agree with each other, to form ourselves into a FREE and INDEPENDENT STATE, by the name of "THE STATE OF ALABAMA." And we do hereby recognize, confirm, and establish the boundaries assigned to said state by the act of congress aforesaid, "to wit:—Beginning at the point where the thirty-first degree of north latitude intersects the Perdido river, thence east to the western boundary line of the state of Georgia; thence along said line to the southern boundary line of the state of Tennessee; thence west along said boundary line to the Tennessee river; thence up the same to the mouth of Bear creek; thence by a direct line, to the north-west corner of Washington county; thence due south to the gulph of Mexico; thence eastwardly, including all islands within six leagues of the shore, to the Perdido river; and thence up the same to the beginning;"—subject to such alteration as is provided in the third section of said act of congress, and subject to such enlargement as may be made by law in consequence of any cession of territory by the United States or either of them.

ARTICLE I—DECLARATION OF RIGHTS.

That the general, great and essential principles of liberty and free government may be recognized and established, WE DECLARE:

Sec. 1. That all freemen, when they form a social compact, are equal in rights; and that no man or set of men are entitled to exclusive, separate public emoluments or privileges, but in consideration of public services.

Sec. 2. All political power is inherent in the people, and all free governments are founded on their authority, and instituted for their benefit: and therefore, they have at all times an unalienable, and indefeasible right to alter, reform, or abolish their form of government, in such manner as they may think expedient.

Sec. 3. No person within this state shall, upon any pretence, be deprived of the inestimable privilege of worshipping God in the manner most agreeable to his own conscience; nor be compelled to attend any place of worship; nor shall any one ever be obliged to pay any tithes, taxes or other rate for the building or repairing any place of worship, or for the maintainance of any minister or ministry.

Sec. 4. No human authority ought, in any case whatever, to control or interfere with the rights of conscience.

Sec. 5. No person shall be hurt, molested, or restrained, in his religious profession, sentiments or persuasion, provided he does not disturb others in their religious worship.

Sec. 6. The civil rights, privileges, or capacities of any citizen, shall in no way be diminished, or enlarged, on account of his religious principles.

Sec. 7. There shall be no establishment of religion by law; no preference shall ever be given by law to any religious sect, society, denomination, or mode of worship; and no religious test shall ever be required as a qualification to any office or public trust under this state.

Sec. 8. Every citizen may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that liberty.

Sec. 9. The people shall be secure in their persons, houses, papers and possessions, from unreasonable seizures or searches; and no warrant to search any place, or to seize any person or thing, shall issue without describing them as nearly as may be, nor without probable cause, supported by oath or affirmation.

Sec. 10. In all criminal prosecutions, the accused has a right to be heard by himself, and counsel to demand the nature and cause of the accusation, and have a copy thereof: to be confronted by the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and in all prosecutions, by indictment or information, a speedy public trial by an impartial jury of the county or district in which the offence shall have been committed; he shall not be compelled to give evidence against himself, nor shall he be deprived of his life, liberty or property, but by due course of law.

Sec. 11. No person shall be accused, arrested, or detained, except in cases ascertained by law, and according to the forms which the same has prescribed; and no person shall be punished, but in virtue of a law, established and promulgated, prior to the offence, and legally applied.

Sec. 12. No person shall, for any indictable offence, be proceeded against criminally, by information; except in cases arising in the land or naval forces, or the militia when in actual service, or by leave of the court for oppression or misdemeanor in office.

Sec. 13. No person shall, for the same offence be twice put in jeopardy of life or limb, nor shall any person's property be taken or applied to public use, unless just compensation be made therefor.

Sec. 14. All courts shall be open, and every person for an injury done him, in his lands, goods, person, or reputation, shall have remedy by due course of law, and right and justice administered, without sale, denial, or delay.

Sec. 15. No power of suspending laws shall be exercised, except by the general assembly, or its authority.

Sec. 16. Excessive bail shall not be required, nor excessive fines imposed, nor cruel punishments inflicted.

Sec. 17. All persons shall, before conviction, be bailable by sufficient securities, except for capital offences, when the proof is evident, or the presumption great: and the privilege of the writ of "habeas corpus" shall not be suspended, unless when in cases of rebellion, or invasion the public safety may require it.

Sec. 18. The person of a debtor, where there is not strong presumption of fraud, shall not be detained in prison, after delivering up his estate for the benefit of his creditors, in such manner as shall be prescribed by law.

Sec. 19. No ex post facto law, nor law impairing the obligation of contracts, shall be made.

Sec. 20. No person shall be attainted of treason or felony by the general assembly. No attainder

shall work corruption of blood, nor forfeiture of estate.

Sec. 21. The estates of suicides shall descend or vest as in cases of natural death; if any person shall be killed by casualty, there shall be no forfeiture, by reason thereof.

Sec. 22. The citizens have a right, in a peaceable manner, to assemble together for their common good, and to apply to those invested with the powers of government, for redress of grievances, or other proper purposes, by petition, address or remonstrance.

Sec. 23. Every citizen has a right to bear arms, in defence of himself and the state.

Sec. 24. No standing army shall be kept up without the consent of the general assembly; and, in that case, no appropriation of money for its support shall be for a longer term than one year; and the military shall in all cases, and at all times, be in strict subordination to the civil power.

Sec. 25. No soldier shall, in time of peace, be quartered in any house, without the consent of the owner; nor in time of war, but in a manner to be prescribed by law.

Sec. 26. No title of nobility, or hereditary distinction, privilege, honor or emolument, shall ever be granted or conferred in this state; nor shall any office be created, the appointment of which shall be for a longer term than during good behaviour.

Sec. 27. Emigration from this state shall not be prohibited, nor shall any citizen be exiled.

Sec. 28. The right of trial by jury shall remain inviolate.

Sec. 29. No person shall be debarred from prosecuting or defending any civil cause, for or against him or herself, before any tribunal in this state, by him or herself or counsel.

Sec. 30. This enumeration of certain rights, shall not be construed to deny or disparage others retained by the people; and to guard against any encroachments on the rights herein retained, or any transgression of any of the high powers herein delegated, we declare, that every thing in this article is excepted out of the general powers of government, and shall forever remain inviolate; and that all laws contrary thereto, or to the following provisions, shall be void.

ARTICLE II.—DISTRIBUTION OF POWERS.

Sec. 1. The powers of the government of the state of Alabama shall be divided into three distinct departments; and each of them confided to a separate body of magistracy, to wit: those which are legislative, to one; those which are executive, to another; and those which are judicial, to another.

Sec. 2. No person, or collection of persons, being of one of those departments, shall exercise any power, properly belonging to either of the others, except in the instances herein after expressly directed or permitted.

ARTICLE III.—LEGISLATIVE DEPARTMENT.

Sec. 1. The legislative power of this state, shall be vested in two distinct branches: the one to be styled the senate, the other the house of representatives, and both together "the general assembly of the state of Alabama;" and the style of their laws shall be, "Be it enacted by the senate and house of representatives of the state of Alabama, in general assembly convened."

Sec. 2. The members of the house of representatives, shall be chosen by the qualified electors, and shall serve for the term of one year, from the day of the commencement of the general election, and no longer.

Sec. 3. The representatives shall be chosen every year, on the first Monday and the day following in August, until otherwise directed by law.

Sec. 4. No person shall be a representative unless he be a white man, a citizen of the United States, and shall have been an inhabitant of this state two years next preceding his election, and the last year thereof a resident of the county, city or town for which he shall be chosen, and shall have attained the age of twenty-one years.

Sec. 5. Every white male person of the age of twenty-one years, or upwards, who shall be a citizen of the United States, and shall have resided in this state one year next preceding an election, and the last three months within the county, city, or town in which he offers to vote, shall be deemed a qualified elector; provided, that no soldier, seaman, or marine in the regular army or navy of the United States, shall be entitled to vote at any election in this state; and provided also that no elector shall be entitled to vote except in the county, city or town (entitled to separate representation,) in which he may reside at the time of the election.

Sec. 6. Electors shall in all cases, except in those of treason, felony, or breach of the peace, be privileged from arrest during their attendance at elections, and in going to and returning from the same.

Sec. 7. In all elections by the people, the electors shall vote by ballot until the general assembly shall otherwise direct.

Sec. 8. Elections for representatives for the several counties shall be held at the place of holding their respective courts, and at such other places as may be prescribed by law; provided, that when it shall appear to the general assembly that any city or town shall have a number of white inhabitants, equal to the ratio then fixed, such city or town shall have a separate representation, according to the number of white inhabitants therein; which shall be retained so long as such city or town, shall contain a number of white inhabitants equal to the ratio which may from time to time be fixed by law; and thereafter, and during the existence of the right of separate representation, in such city or town, elections for the county in which such city or town (entitled to such separate representation) is situated, shall not be held in such city or town; but it is understood and hereby declared, that no city or town, shall be entitled to separate representation, unless the number of white inhabitants in the county in which such city or town is situated, residing out of the limits of said city or town, be equal to the existing ratio; or unless the residuum or fraction of such city or town, shall, when added to the white inhabitants of the county residing out of the limits of said city or town, be equal to the ratio fixed by law for one representative; and provided, that, if the residuum or fraction of any city or town, entitled to separate representation, shall, when added to the residuum of the county in which it may lie, be equal to the ratio fixed by law for one representative, then the aforesaid county, city or town, having the largest residuum, shall be entitled to such representation: and provided, also, that when there are two or more counties adjoining, which have residuums or fractions over and above the ratio then fixed by law, if said residuums or fractions when added together will amount to such ratio, in that case one representative shall be added to that county having the largest residuum.

Sec. 9. The general assembly shall, at their first meeting, and in the years one thousand eight hundred and twenty-one, one thousand eight hundred

and twenty-three, one thousand eight hundred and twenty-six, and every six years thereafter, cause an enumeration to be made, of all the inhabitants of the state, and the whole number of the representatives shall, at the first session held, after making every such enumeration be fixed by the general assembly, and apportioned among the several counties, cities or towns, entitled to separate representation, according to their respective numbers of white inhabitants; and the said apportionment when made, shall not be subject to alteration, until after the next census shall be taken.—The house of representatives shall not consist of less than forty-four, nor more than sixty members, until the number of white inhabitants, shall be one hundred thousand, and after that event, the whole number of representatives shall never be less than sixty, nor more than one hundred; provided, however, that each county shall be entitled to at least one representative.

Sec. 10. The general assembly shall, at the first session after making every such enumeration, fix by law the whole number of senators, and shall divide the state into the same number of districts, as nearly equal in the number of white inhabitants as may be, each of which districts, shall be entitled to one senator and no more; provided that the whole number of senators shall never be less than one-fourth, nor more than one-third of the whole number of representatives.

Sec. 11. When a senatorial district shall be composed of two or more counties, the counties of which such district consists, shall not be entirely separated by any county belonging to another district; and no county shall be divided in forming a district.

Sec. 12. Senators shall be chosen by the qualified electors, for the term of three years, at the same time, in the same manner, and at the same places, where they may vote for members of the house of representatives; and no person shall be a senator unless he be a white man, a citizen of the United States, and shall have been an inhabitant of this state, two years next preceding his election, and the last year thereof a resident of the district for which he shall be chosen, and shall have attained to the age of twenty-seven years.

Sec. 13. The senators chosen according to the apportionment under the census ordered to be taken in one thousand eight hundred and twenty-six, when convened, shall be divided by lot, into three classes, as nearly equal as may be. The seats of the senators of the first class shall be vacated at the expiration of the first year, those of the second class at the expiration of the second year, and those of the third class at the expiration of the third year, so that one-third may be annually chosen thereafter, and a rotation thereby kept up perpetually. Such mode of classifying new additional senators shall be observed as well, as nearly as possible, preserve an equality of members in each class.

Sec. 14. The house of representatives, when assembled, shall choose a speaker, and its other officers; and the senate shall annually, choose a president and its other officers; each house shall judge of the qualifications, elections and returns of its own members; but a contested election shall be determined in such manner as shall be directed by law.

Sec. 15. A majority of each house shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and may compel the attendance of absent members in such manner, and under such penalties as each house may provide.

Sec. 16. Each house may determine the rules of its own proceedings, punish members for disorderly behaviour, and with the consent of two-thirds, expel a member; but not a second time for the same cause; and shall have all other powers necessary for a branch of the legislature of a free and independent state.

Sec. 17. Each house, during the session, may punish, by imprisonment, any person, not a member, for disrespectful or disorderly behaviour in its presence, or for obstructing any of its proceedings, provided, that such imprisonment shall not at any one time, exceed forty-eight hours.

Sec. 18. Each house shall keep a journal of its proceedings, and cause the same to be published immediately after its adjournment, excepting such parts as, in its judgment may require secrecy; and the yeas and nays of the members of either house on any question, shall, at the desire of any two members present, be entered on the journals. And any member of either house, shall have liberty to dissent from, or protest against, any act or resolution, which he may think injurious to the public or an individual, and have the reasons of his dissent entered on the journals.

Sec. 19. Senators and representatives shall in all cases, except treason, felony or breach of the peace, be privileged from arrest during the session of the general assembly, and in going to and returning from the same; allowing one day for every twenty miles such member may reside from the place at which the general assembly is convened; nor shall any member be liable to answer for any thing spoken in debate in either house in any court or place elsewhere.

Sec. 20. When vacancies happen in either house, the governor, or the person exercising the powers of the governor, shall issue writs of election to fill such vacancies.

Sec. 21. The doors of each house shall be open, except on such occasions, as in the opinion of the house may require secrecy.

Sec. 22. Neither house shall, without the consent of the other, adjourn for more than three days, nor to any other place, than that in which they may be sitting.

Sec. 23. Bills may originate in either house, and be amended, altered or rejected by the other; but no bill shall have the force of a law, until on three several days it be read in each house and free discussion be allowed thereon, unless in cases of urgency, four-fifths of the house in which the bill shall be depending may deem it expedient to dispense with this rule; and every bill, having passed both houses, shall be signed by the speaker and president of their respective houses; provided, that all bills for raising revenue, shall originate in the house of representatives, but the senate may amend or reject them as other bills.

Sec. 24. Each member of the general assembly shall receive from the public treasury, such compensation for his services as may be fixed by law; but no increase of compensation shall take effect during the session at which such increase shall have been made.

Sec. 25. No senator or representative shall, during the term for which he shall have been elected, be appointed to any civil office of profit under this state, which shall have been created, or the emoluments of which have been increased during such term; except such offices as may be filled by elections by the people.

Sec. 26. No person holding any lucrative office under the United States, (the office of post master

excepted,) this state, or any other power, shall be eligible to the general assembly; provided, that offices in the militia to which there is attached no annual salary, or the office of justice of the peace, or that of the quorum or county court, while it has no salary, shall not be deemed lucrative.

Sec. 27. No person who may hereafter be a collector or holder of public monies, shall have a seat in either house of the general assembly, or be eligible to any office of trust or profit under this state, until he shall have accounted for, and paid into the treasury, all sums for which he may be accountable.

Sec. 28. The first election for senators and representatives, shall be general throughout the state; and shall be held on the third Monday and Tuesday in September next.

Sec. 29. The first session of the general assembly shall commence on the fourth Monday in October next, and be held at the town of Huntsville, and all subsequent sessions at the town of Cahawba, until the end of the first session of the general assembly, to be held in the year one thousand eight hundred and twenty-five; during that session the general assembly shall have power to designate by law (to which the executive concurrence shall not be required) the permanent seat of government, which shall not thereafter be changed; provided, however, that unless such designation be then made by law, the government shall continue permanently at the town of Cahawba; and provided also, that the general assembly shall make no appropriations previous to the year one thousand eight hundred and twenty-five, for the building of any other state house, than that now provided for by law.

ARTICLE IV.—EXECUTIVE DEPARTMENT.

Sec. 1. The supreme executive power of this state shall be vested in a chief magistrate, who shall be styled the governor of the state of Alabama.

Sec. 2. The governor shall be elected by the qualified electors at the time and places, when they shall respectively vote for representatives.

Sec. 3. The returns of every election for governor shall be sealed up, and transmitted to the seat of government, directed to the speaker of the house of representatives, who shall, during the first week of the session, open and publish them in presence of both houses of the general assembly. The person having the highest number of votes shall be governor; but if two or more shall be equal and highest in votes, one of them shall be chosen governor by the joint vote of both houses.—Contested elections for governor, shall be determined by both houses of the general assembly, in such manner as shall be prescribed by law.

Sec. 4. The governor shall hold his office for the term of two years from the time of his installation, and until his successor shall be duly qualified, but shall not be eligible for more than four years in any term of six years; he shall be at least thirty years of age, shall be a native citizen of the United States, and shall have resided in this state at least four years, next preceding the day of his election.

Sec. 5. He shall, at stated times, receive a compensation for his services, which shall not be increased or diminished during the term for which he shall have been elected.

Sec. 6. He shall be commander in chief of the army and navy of this state, and of the militia thereof, except when they shall be called into the service of the United States. And when acting in the service of the United States, the general assembly shall fix his rank.

Sec. 7. He may require information in writing

from the officers of the executive department on any subject relating to the duties of their respective offices.

Sec. 8. He may, by proclamation, on extraordinary occasions convene the general assembly at the seat of government, or at a different place, if that shall have become, since their last adjournment, dangerous from an enemy, or from contagious disorders, in case of disagreement between the two houses, with respect to the time of adjournment, he may adjourn them to such time as she shall think proper, not beyond the day of the next annual meeting of the general assembly.

Sec. 9. He shall, from time to time, give to the general assembly, information of the state of the government, and recommend to their consideration, such measures as he may deem expedient.

Sec. 10. He shall take care that the laws be faithfully executed.

Sec. 11. In all criminal and penal cases, except in those of treason, and impeachment, he shall have power to grant reprieves and pardons, and remit fines and forfeitures, under such rules and regulations as shall be prescribed by law. In cases of treason, he shall have power, by and with the advice and consent of the senate, to grant reprieves and pardons; and he may, in the recess of the senate, respite the sentence until the end of the next session of the general assembly.

Sec. 12. There shall be a seal of this state, which shall be kept by the governor, and used by him officially, and the present seal of the territory shall be the seal of the state, until otherwise directed by the general assembly.

Sec. 13. All commissions shall be in the name, and by the authority of the state of Alabama, be sealed with the state seal, signed by the governor, and attested by the secretary of state.

Sec. 14. There shall be a secretary of state, appointed by a joint vote of both houses of the general assembly, who shall continue in office during the term of two years. He shall keep a fair register of all official acts and proceedings of the governor, and shall, when required, lay the same, and all papers, minutes and vouchers relative thereto, before the general assembly; and shall perform such other duties as may be required of him by law.

Sec. 15. Vacancies that may happen in offices, the appointment to which is vested in the general assembly, shall be filled by the governor, during the recess of the general assembly, by granting commissions, which shall expire at the end of the next session.

Sec. 16. Every bill, which shall have passed both houses of the general assembly, shall be presented to the governor: if he approve, he shall sign it, but if not, he shall return it, with his objections, to the house in which it shall have originated, who shall enter the objections at large upon the journals, and proceed to reconsider it; if after such reconsideration, a majority of the whole number elected to that house, shall agree to pass the bill, it shall be sent, with the objections, to the other house, by which it shall likewise be reconsidered; if approved by a majority of the whole number elected to that house, it shall become a law: but in such cases the votes of both houses shall be determined by yeas and nays, and the names of the members voting for or against the bill, shall be entered on the journals of each house respectively: If any bill shall not be returned by the governor within five days, Sundays excepted, after it shall have been presented to him, the same shall be a law in like manner as if he had signed it.

(To be concluded in the 2d part of the next number.)

NILES' WEEKLY REGISTER.

NEW SERIES. No. 4—Vol. V.] BALTIMORE, SEPTEMBER 25, 1819. [No. 4—Vol. XVII. WHOLE No. 420

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

For editorial and miscellaneous articles, see page 59.

(Constitution of Habana—concluded.)

unless the general assembly by their adjournment prevent its return, in which case it shall not be a law.

Sec. 17. Every order, resolution, or vote, to which the concurrence of both houses may be necessary, except questions of adjournment, shall be presented to the governor, and before it shall take effect, be approved by him, or being disapproved, shall be re-passed by both houses, according to the rules and limitations prescribed in the cases of a bill.

Sec. 18. In case of the impeachment of the governor, his removal from office, death, refusal to qualify, resignation, or absence from the state, the president of the senate shall exercise all the power and authority, appertaining to the office of governor, until the time pointed out by this constitution, for the election of governor shall arrive, unless the general assembly shall provide by law for the election of a governor, to fill such vacancy, or until the governor, absent or impeached, shall return or be acquitted.

Sec. 19. If during the vacancy of the office of governor, the president of the senate shall be impeached, removed from office, refuse to qualify, resign, die, or be absent from the state, the speaker of the house of representatives, shall in like manner administer the government.

Sec. 20. The president of the senate and speaker of the house of representatives during the time they respectively administer the government, shall receive the same compensation which the governor would have received, had he been employed in the duties of his office.

Sec. 21. The governor shall always reside, during the session of the general assembly, at the place where their session may be held, and at all other times, wherever, in their opinion, public good may require.

Sec. 22. No person shall hold the office of governor, and any other office or commission, civil or military, either in this state, or under any state, or the United States or any other power, at one, and the same time.

Sec. 23. A state treasurer and a comptroller of public accounts, shall be annually elected, by joint vote of both houses of the general assembly.

Sec. 24. A sheriff shall be elected in each county by the qualified electors thereof, who shall hold his office for the term of three years, unless sooner removed, and who shall not be eligible to serve either as principal or deputy for the three succeeding years. Should a vacancy occur subsequent to an election, it shall be filled by the governor as in other cases, and the person so appointed shall continue in office until the next general election, when such vacancy shall be filled by the qualified electors, and the sheriff then elected shall continue in office for three years.

MILITIA.

Sec. 1. The general assembly shall provide by law for organizing and disciplining the militia of this state, in such manner as they shall deem expedient, not incompatible with the constitution and laws of the U. States in relation thereto.

Sec. 2. Any person who conscientiously scruples to bear arms shall not be compelled to do so, but shall pay an equivalent for personal service.

Sec. 3. The governor shall have power to call forth the militia to execute the laws of the state, to suppress insurrections, and repel invasions.

Sec. 4. All officers of the militia shall be elected or appointed in such manner as may be prescribed by law: Provided that the general assembly shall not make any such elections or appointments, other than those of adjutants general and quarter masters general.

Sec. 5. The governor shall appoint his aids-de-camp; majors general, their aids-de-camp and all other division staff officers; brigadiers general shall appoint their aids, and all other brigade staff officers, and colonels shall appoint their regimental staff officers.

Sec. 6. The general assembly shall fix by law, the method of dividing the militia into divisions, brigades, regiments, battalions and companies, and shall fix the rank of all staff officers.

ARTICLE V—JUDICIAL DEPARTMENT.

Sec. 1. The judicial power of this state shall be vested in one supreme court, circuit courts to be held in each county in the state, and such inferior courts of law and equity, to consist of not more than five members, as the general assembly may, from time to time direct, ordain and establish.

Sec. 2. The supreme court, except in cases otherwise directed by this constitution, shall have appellate jurisdiction only, which shall be coextensive with the state, under such restrictions and regulations, not repugnant to this constitution, as may from time to time be prescribed by law: Provided that the supreme court shall have power to issue writs of injunction, mandamus, quo-warranto, habeas corpus, and such other remedial and original writs, as may be necessary to give it a general superintendence and control of inferior jurisdictions.

Sec. 3. Until the general assembly shall otherwise prescribe, the powers of the supreme court, shall be vested in, and its duties shall be performed by the judges of the several circuit courts, within this state: and they, or a majority of them, shall hold such sessions of the supreme court and at such times, as may be directed by law: Provided that no judge of the supreme court, shall be appointed before the commencement of the first session of the general assembly, which shall be begun and held, after the first day of January, in the year one thousand eight hundred and twenty-five.

Sec. 4. The supreme court shall be holden at the seat of government, but may adjourn to a different place, if that shall have become dangerous from an enemy or from disease.

Sec. 5. The state shall be divided into convenient circuits, and each circuit shall contain not less than three, nor more than six counties: and for each circuit there shall be appointed a judge, who shall, after his appointment, reside in the circuit, for which he may be appointed.

Sec. 6. The circuit court shall have original jurisdiction in all matters civil and criminal, within this state, not otherwise excepted in this constitution.

tion; but in civil cases, only when the matter or sum in controversy exceeds fifty dollars.

Sec. 7. A circuit court shall be held in each county in the state, at least twice in every year, and the judges of the several courts may hold courts for each other, when they may deem it expedient, and shall do so when directed by law.

Sec. 8. The general assembly shall have power to establish a court, or courts of chancery with original and appellate equity jurisdiction; and until the establishment of such court or courts, the said jurisdiction shall be vested in the judges of the circuit courts respectively. Provided that the judges of the several courts shall have power to issue writs of injunction, returnable into the courts of chancery.

Sec. 9. The general assembly shall have power to establish, in each county within this state, a court of probate, for the granting of letters testamentary and of administration and for orphans business.

Sec. 10. A competent number of justices of the peace shall be appointed, in and for each county, in such mode, and for such term of office, as the general assembly may direct. Their jurisdiction in civil cases shall be limited to causes, in which the amount in controversy shall not exceed fifty dollars. And in all cases tried by a justice of the peace, right of appeal shall be secured, under such rules and regulations, as may be prescribed by law.

Sec. 11. Judges of the supreme and circuit courts, and courts of chancery shall, at stated times, receive for their services a compensation, which shall be fixed by law, and shall not be diminished, during their continuance in office: but they shall receive no fees or perquisites of office, nor hold any other office of profit or trust under this state, the U. States, or any other power.

Sec. 12. Chancellors, judges of the supreme court, judges of the circuit courts and judges of the inferior courts, shall be elected by joint vote of both houses of the general assembly.

Sec. 13. The judges of the several courts in this state, shall hold their offices during good behavior; and for wilful neglect of duty, or other reasonable cause, which shall not be sufficient ground for impeachment, the governor shall remove any of them, on the address of two thirds of each house of the general assembly; Provided, however, that the cause or causes for which such removal shall be required, shall be stated at length in such address and entered on the journals of each house; and provided further, that the cause or causes shall be notified to the judge so intended to be removed, and he shall be admitted to a hearing in his own defence, before any vote for such address shall pass; and in all such cases the vote shall be taken by yeas and nays, and entered on the journals of each house respectively; and provided also, that the judges of the several circuit courts who shall be appointed before the commencement of the first session of the general assembly, which shall be begun and held after the first day of January, in the year of our lord one thousand eight hundred and twenty-five, shall only hold their offices during good behavior, until the end of the said session, at which time their commissions shall expire.

Sec. 14. No person who shall have arrived at the age of 70 years, shall be appointed to, or continue in the office of judge in this state.

Sec. 15. Clerks of the circuit and inferior courts in this state shall be elected by the qualified electors in each county, for the term of four years, and may be removed from office for such causes and in such manner, as may be prescribed by law, and should a vacancy occur subsequent to an election,

it shall be filled by the judge or judges of the courts in which such vacancy exists; and the person so appointed shall hold his office, until the next general election; provided however, that after the year one thousand eight hundred and twenty-six, the general assembly may prescribe a different mode of appointment, but shall not make such appointment.

Sec. 16. The judges of the supreme court shall, by virtue of their offices, be conservators of the peace throughout the state; as also the judges of the circuit courts in their respective districts, and judges of the inferior courts in their respective counties.

Sec. 17. The style of all process shall be "the state of Alabama," and shall conclude "against the peace and dignity of the same."

Sec. 18. There shall be an attorney general for the state, and as many solicitors, as the general assembly may deem necessary, to be elected by a joint vote thereof, who shall hold their offices, for the term of four years, and shall receive for their services a compensation, which shall not be diminished during their continuance in office.

IMPEACHMENTS.

Sec. 1. The house of representatives shall have the sole power of impeaching.

Sec. 2. All impeachments shall be tried by the senate: when sitting for that purpose, the senators shall be on oath or affirmation: and no person shall be convicted, without the concurrence of two-thirds of the members present.

Sec. 3. The governor and all civil officers, shall be liable to impeachment for any misdemeanor in office; but judgment in such cases shall not extend further than removal from office, and to disqualification to hold any office of honor, trust or profit under the state; but the party convicted, shall nevertheless be liable and subject to indictment, trial and punishment according to law.

ARTICLE VI—GENERAL PROVISIONS.

Sec. 1. The members of the general assembly, and all officers, executive and judicial, before they enter on the execution of their respective offices, shall take the following oath or affirmation, to wit: "I solemnly swear (or affirm as the case may be) that I will support the constitution of the United States, and constitution of the state of Alabama, so long as I continue a citizen thereof, and that I will faithfully discharge to the best of my abilities, the duties of — according to law, so help me God.

Sec. 2. Treason against the state shall consist only, in levying against it, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or his own confession in open court.

Sec. 3. The general assembly shall have power to pass such penal laws, to suppress the evil practice of duelling, extending to disqualification from office, or the tenure thereof, as they may deem expedient.

Sec. 4. Every person shall be disqualified from holding any office or place of honor or profit under the authority of this state, who shall be convicted of having given or offered any bribe to procure his election or appointment.

Sec. 5. Laws shall be made to exclude from office, from suffrage, and from serving as jurors, those who shall hereafter be convicted of bribery, perjury, forgery, or other high crimes or misdemeanors. The privilege of free suffrage shall be supported by laws regulating elections, and prohibiting, under adequate penalties, all undue influence thereon, from power, bribery, tumult or other improper conduct.

Sec. 6. In all elections by the general assembly,

the members thereof shall vote *viva voce*, and the votes shall be entered on the journals.

Sec. 7. No money shall be drawn from the treasury, but in consequence of an appropriation made by law; and a regular statement and account of the receipts and expenditures of all public monies, shall be published annually.

Sec. 8. All lands liable to taxation in this state, shall be taxed in proportion to their value.

Sec. 9. The general assembly shall direct by law, in what manner, and in what courts, suits may be brought against the state.

Sec. 10. It shall be the duty of the general assembly to regulate by law, the cases in which deductions shall be made from the salaries of public officers, for neglect of duty in their official capacities, and the amount of such deduction.

Sec. 11. Absence on business of this state or of the United States, or on a visit, or necessary private business, shall not cause a forfeiture of a residence, once obtained.

Sec. 12. No member of congress, nor any person holding any office of profit or trust under the United States, (the office of post master excepted) or either of them, or any foreign power, shall hold or exercise any office of profit under this state.

Sec. 13. Divorces from the bonds of matrimony, shall not be granted, but in cases provided for by law, by suit in chancery; and no decree by such divorce shall have effect, until the same shall be sanctioned by two thirds of both houses of the general assembly.

Sec. 14. In prosecutions for the publishing of papers, investigating the official conduct of officers or men in public capacity, or when the matter published is proper for public information, the truth thereof may be given in evidence; and in all indictments for libels the jury shall have a right to determine the law and the facts, under the direction of the courts.

Sec. 15. Returns of all elections for officers who are to be commissioned by the governor, and for members of the general assembly, shall be made to the secretary of state.

Sec. 16. No new county shall be established by the general assembly, which shall reduce the county or counties, or either of them, from which it shall be taken, to a less content than nine hundred square miles; nor shall any county be laid off of less contents: Every new county, as to the right of suffrage and representation, shall be considered as a part of the county or counties, from which it was taken until entitled by numbers to the right of separate representation.

Sec. 17. The general assembly shall, at their first session which may be holden in the year eighteen hundred and twenty-eight, or at the next succeeding session, arrange and designate boundaries for the several counties within the limits of this state, to which the Indian title shall have been extinguished, in such manner as they may deem expedient; which boundaries shall not be afterwards altered, unless by the agreement of two thirds of both branches of the general assembly, and all cases of ceded territory acquired by the state, the general assembly may make such arrangements and designations of the boundaries of counties within such ceded territory as they may deem expedient, which shall only be altered, in like manner; provided that no county hereafter to be formed, shall be of less extent than nine hundred square miles.

Sec. 18. It shall be the duty of the general assembly to pass such laws as may be necessary and proper, to decide differences by arbitrators, to be ap-

pointed by the parties, who may choose that summary mode of adjustment.

Sec. 19. It shall be the duty of the general assembly as soon as circumstances will permit, to form a penal code, founded on principles of reformation, and not of vindictive justice.

Sec. 20. Within five years after the adoption of this constitution, the body of our laws, civil and criminal, shall be revised, digested, and arranged under proper heads, and promulgated in such manner as the general assembly may direct; and a like revision, digest and promulgation shall be made within every subsequent period of ten years.

Sec. 21. The general assembly shall make provision by law for obtaining correct knowledge of the several objects proper for improvement in relation to the navigable waters, and to the roads in this state, and for making a systematic and economical application of the means appropriated, to those objects.

Sec. 22. In the event of the annexation of any foreign territory to this state, by a cession from the United States, laws may be passed, extending to the inhabitants of such territory, all the rights and privileges, which may be required by the terms of such cession; any thing in this constitution to the contrary notwithstanding.

EDUCATION.

Schools and the means of education shall forever be encouraged in this state; and the general assembly shall take measures to preserve from unnecessary waste or damage, such lands as are, or hereafter may be granted by the United States for the use of schools within each township in this state, and apply the funds, which may be raised from such lands, in strict conformity to the object of such grant. The general assembly shall take like measures for the improvement of such lands as have been or may be hereafter granted by the United States to this state, for the support of a seminary of learning, and the monies which may be raised from such lands, by rent, lease, or sale, or from any other quarter, for the purpose, aforesaid, shall be and remain a fund for the exclusive support of a state university, for the promotion of the arts, literature, and the sciences: and it shall be the duty of the general assembly as early as may be, to provide effectual measures for the improvement and permanent security of the funds and endowments of such institution.

ESTABLISHMENT OF BANKS.

Sec. 1. One state bank may be established, with such number of branches as the general assembly may from time to time, deem expedient. Provided that no branch bank shall be established, nor bank charter renewed, under the authority of this state without the concurrence of two thirds of both houses of the general assembly; and provided also, that not more than one bank nor branch bank shall be established, nor bank charter renewed, at any one session of the general assembly, nor shall any bank or branch bank be established, or bank charter renewed, but in conformity with the following rules:

1. At least two fifths of the capital stock shall be reserved to the state.

2. Proportion of power in the direction of the bank, shall be reserved to the state, equal at least to its proportion of stock therein.

3. The state, and the individual stockholders shall be liable respectively, for the debts of the bank, in proportion to their stock holden therein.

4. The remedy for collecting debts shall be reciprocal, for and against the bank.

5. No bank shall commence operations until half

of the capital stock subscribed for, be actually paid in gold or silver, which amount shall, in no case be less than one hundred thousand dollars.

6. In case any bank, or branch bank, shall neglect or refuse to pay, on demand, any bill, note or obligation, issued by the corporation, according to the promise therein expressed, the holder of any such note, bill or obligation shall be entitled to receive and recover interest thereon, until the same shall be paid, or specie payments are resumed by said bank, at the rate of twelve per cent. per annum from the date of such demand, unless the general assembly shall sanction such suspension of specie payments; and the general assembly shall have power, after such neglect or refusal, to adopt such measures, as they may deem proper, to protect and secure the rights of all concerned, and to declare the charter of such bank forfeited.

7. After the establishment of a general state bank, the banks of this state now existing, may be admitted as branches thereof, upon such terms as the legislature and the said banks may agree, subject nevertheless to the preceding rules.

SLAVES.

Sec. 1. The general assembly shall have no power to pass laws for the emancipation of slaves, without the consent of their owners, or without paying their owners, previous to such emancipation, a full equivalent in money, for the slaves so emancipated. They shall have no power to prevent emigrants to this state from bringing with them such persons as are deemed slaves by the laws of any one of the U. States, so long as any person of the same age or description shall be continued in slavery by the laws of this state: Provided, that such person or slave, be the *bona fide* property of such emigrants; and provided also, that laws may be passed to prohibit the introduction into this state of slaves, who have committed high crimes in other states or territories. They shall have power to pass laws to permit the owners of slaves to emancipate them, saving the rights of creditors, and preventing them from becoming a public charge. They shall have full power to prevent slaves from being brought into this state as merchandise, and also to oblige the owners of slaves to treat them with humanity, to provide for them necessary food and clothing, to abstain from all injuries to them extending to life or limb, and in case of their neglect or refusal to comply with the directions of such laws, to have such slave or slaves sold for the benefit of the owner or owners.

Sec. 2. In the prosecution of slaves for crimes, of a higher grade than petit larceny, the general assembly shall have no power to deprive them of an impartial trial by a petit jury.

Sec. 3. Any person who shall maliciously dismember or deprive a slave of life, shall suffer such punishment as would be inflicted in case the like offence had been committed on a free white person, and on the like proof; except in case of insurrection by such slave.

MODE OF AMENDING AND REVISING THE CONSTITUTION.

Sec. 1. The general assembly, whenever two thirds of each house shall deem it necessary, may propose amendments to this constitution; which proposed amendments shall be duly published in print, at least three months before the next general election of representatives, for the consideration of the people, and it shall be the duty of the several returning officers at the next general election which shall be held for representatives, to open a poll for, and make return to the secretary of state for the time being, of the names of all those voting for representatives, who have voted on such proposed

amendments; and if thereupon it shall appear that a majority of all the citizens of this state, voting for representatives, have voted in favor of such proposed amendments; and two thirds of each house of the next general assembly, shall afterwards an election, and before another, ratify the same amendments by yeas and nays, they shall be valid, to all intents and purposes, as parts of this constitution: provided, that the said proposed amendments shall at each of the said sessions, have been read three times, on three several days, in each house.

SCHEDULE.

Sec. 1. That no inconvenience may arise from a change of territorial to a permanent state government, it is declared that all rights, actions, prosecutions, claims and contracts, as well of individuals as of bodies corporate, shall continue as if no such change had taken place: and all process which shall, before the third Monday in September next, be issued in the name of the Alabama territory, shall be as valid as if issued in the name of the state.

Sec. 2. All fines, penalties, forfeitures and escheats accruing to the Alabama territory, shall accrue to the use of the state.

Sec. 3. The validity of all bonds and recognizances, executed to the governor of the Alabama territory, shall not be impaired by the change of government, but may be sued for and recovered in the name of the governor of the state of Alabama and his successors in office: and all criminal or penal actions arising or now depending within the limits of this state, shall be prosecuted to judgment and execution in the name of said state: all causes of action arising to individuals and all suits at law or in equity, now depending in the several courts within the limits of this state, and not already barred by law, may be commenced in, or transferred to, such courts as may have jurisdiction thereof.

Sec. 4. All officers, civil or military, now holding commissions, under the authority of the United States or of the Alabama territory, within this state, shall continue to hold and exercise their respective offices under the authority of this state, until they shall be superseded under the authority of this constitution, and shall receive from the treasury of this state the same compensation which they heretofore received, in proportion to the time they shall be so employed. The governor shall have power to fill vacancies by commissions, to expire so soon as elections or appointments can be made to such office, by authority of this constitution.

Sec. 5. All laws and parts of laws, now in force in the Alabama territory, which are not repugnant to the provisions of this constitution, shall continue and remain in force as the laws of this state, until they expire by their own limitation, or shall be altered, or repealed by the legislature thereof.

Sec. 6. Every white male person above the age of twenty-one years, who shall be a citizen of the United States and resident in this state at the time of the adoption of this constitution, shall be deemed a qualified elector at the first election to be holden in this state. And every white male person who shall reside within the limits of this state at the time of the adoption of this constitution, and shall be otherwise qualified, shall be entitled to hold any office or place of honor, trust, or profit under this state; any thing in this constitution to the contrary notwithstanding.

Sec. 7. The president of this convention shall issue writs of election directed to the sheriffs of the several counties, requiring them to cause an election to be held for a governor, representative to the congress of the United States, members of

the general assembly, clerks of the several courts, and sheriffs of the respective counties, at the respective places of elections in said counties, on the third Monday and the day following in September next, which elections shall be conducted in the manner prescribed by the existing election laws of the Alabama territory; and the said governor and members of the general assembly, then duly elected, shall continue to discharge the duties of their respective offices, for the time prescribed by this constitution, and until their successors shall be duly qualified.

Sec. 8. Until the first enumeration shall be made, as directed by this constitution, the county of Autauga shall be entitled to two representatives; the county of Baldwin, to one representative; the county of Blount, to three representatives; the county of Cahawba, to one representative; the county of Clark, to two representatives; the county of Conecuh, to two representatives; the county of Cotaco, to two representatives; the county of Dallas, to two representatives; the county of Franklin, to two representatives; the county of Lauderdale, to two representatives; the county of Lawrence, to two representatives; the county of Limestone, to three representatives; the county of Marengo, to eight representatives; the county of Marion, to one representative; the county of Monroe, to five representatives; the county of Montgomery, to three representatives; the county of Mobile, to one representative; the county of St. Clair, to one representative; the county of Shelby, to two representatives; the county of Tuscaloosa to three representatives; and the county of Washington, to two representatives. And each county shall be entitled to one senator, who shall serve for one term.

Sec. 9. The oaths of office, herein directed to be taken, may be administered by any justice of the peace, until the general assembly shall otherwise direct.

ORDINANCE.

THIS CONVENTION, for and in behalf of the people inhabiting this state, DO ACCEPT the propositions offered by the act of congress under which they are assembled: and this convention, for and in behalf of the people inhabiting this state, do ordain, agree, and declare, that they forever disclaim all right and title to the waste or unappropriated lands, lying within this state, and that the same shall be and remain at the sole and entire disposition of the United States; and moreover, that each and every tract of land, sold by the United States after the first day of September next, shall be and remain exempt from any tax, laid by the order or under the authority of this state, whether for state, county, township, parish, or any other purpose whatsoever, for the term of five years from and after the respective days of the sales thereof: and that the lands belonging to the citizens of the United States, residing out of the limits of this state, shall never be taxed higher than the lands belonging to persons residing therein: and that no tax shall be imposed on lands the property of the United States: and that all navigable waters within this state shall forever remain public highways, free to the citizens of this state and of the United States, without any tax, duty, impost or toll therefor, imposed by this state: and this ordinance is hereby declared irrevocable without the consent of the United States.

DONE in Convention, at Huntsville, this second day of August, in the year of our Lord one thousand

eight hundred and nineteen, and of American Independence the forty-fourth.

JOHN W. WALKER,

President of the Convention,

And member from Madison county.

MEMBERS OF THE CONVENTION.

Madison county.

Clement C. Clay,
John Leigh Townes,
Henry Chambers,
Lemuel Mead,
Henry Minor,
Gabriel Moore,
John M. Taylor.

Monroe county.

John Murphy,
John Watkins,
James Pickens,
Thomas Wiggins.

Blount county.

Isaac Brown,
John Brown,
Gabriel Hanby.

Limestone county.

Thomas Bibb,
Beverly Hughes,
Nicholas Davis.

Shelby county.

George Phillips,
Thomas A. Rogers.

Montgomery county.

John Dandridge Bibb,
James W. Armstrong.

Washington county.

Israel Pickens,
Henry Hitchcock.

Tuscaloosa county.

Marmaduke Williams,
John L. Tindal.

Attest.

JOHN CAMPBELL, *sec'y of the convention.*

Dinner to General D'Evereux.

From a Dublin paper of July 22, 1819.

On Monday last a splendid dinner was given at Morrison's, to compliment our distinguished countryman, major-general D'Evereux, and the cause of South American freedom.

The anxiety to procure tickets was extreme, and though so short a space of time had elapsed from the first announcement of the invitation to the general, upwards of two hundred gentlemen assembled at Morrison's great rooms. The dinner was served up with the characteristic elegance which distinguishes this magnificent establishment. Lord Cloncurry took the chair, about half after six, at the centre table. On his right sat general D'Evereux; colonel Hay, of his majesty's service; col. Lesser, of the first fuzileer regiment; lieutenant colonel Trede-nick, of the same; colonel Power, of the first light infantry of the legion; and lieutenant colonel Mac Laughlin, of the lancers. On the left, colonel Aylmer, of the lancers; lieutenant colonel Harvey, of the same; and major Sampson, of gen. D'Evereux's staff—Mr. Wm. Humphreys sat at the foot of the centre table. Sir Frederick Flood, Bart. senior king's counsel, senior benchler, custos rotulorum of the county of Wexford, which he faithfully represented, as well as many other places before, for upwards of thirty years, presided at the table on the left. Mr. O'Connell supported the dignity of the chair, at the table on the right, with his characteristic good humour,

Among a vast number of our highly respectable fellow-citizens present on this occasion, we also observed Messrs. Scully, Leonard M'Nally, Finlay, Phillips, and other members of the Irish bar; Messrs. Humphreys, Mahon, Win. Murphy, and many others of the most valued and wealthy merchants of Dublin.

After the cloth was removed, lord Cloncurry, with a suitable preface, proposed the health of

"The king."

"This was drank in solemn and becoming silence.

"The prince regent"—three times three.

"The duke of York, and the army."

"The duke of Clarence, and the navy."

In proposing the health of the dukes of KENT and SUSSEX, as the royal friends and advocates of civil and religious liberty, his lordship made some very happy and appropriate observations on the conduct of those illustrious princes. This speech was received with the most animated marks of enthusiasm.

"The dukes of Kent and Sussex, and the cause of civil and religious liberty all over the world."—*Drank with enthusiasm.*

Lord Cloncurry then proposed the health of the lord lieutenant of Ireland, the earl TALBOT. His excellency was, said lord Cloncurry, he firmly believed, a friend of Ireland—he certainly was a man of his word, as he had reason to know, and this was more than he could say of some of his predecessors.

—[*loud applause.*]

"Earl Talbot, the lord lieutenant of Ireland."—*Drank with three times three.*

"The right hon. Charles Grant, the enlightened statesman and the friend of Ireland."

This was drank with the greatest zeal and animation, followed by a peal of applause.

"Old Ireland."—This toast was followed by three cheers.

Lord Cloncurry now rose and said, he would propose a toast, which he was sure would excite the most lively sensations in the minds of all present. He meant their distinguished guest. Had he not been present, he would be inclined to speak of him personally in terms of praise which he would not now make use of. He was not restricted, however, in speaking of that glorious cause with which, to his eternal honor, he had identified his fame, and his fortunes—his brave companions were about to leave their homes, their friends and connexions, property, and every thing that can conduce to render life happy, to cross the ocean, and encounter fatigues, dangers, and privations, to promote the liberties and independence of another hemisphere; but they had placed themselves under the guidance and command of one who had already acquired considerable experience of the country they were going to, and the nature of that warfare which they were about to encounter. He would now propose the health of that individual. The chairman then gave—

"Major general D'Evereux, and may success crown his exertions to promote the freedom of another hemisphere."

This toast was received with loud cheerings which continued for some time. As soon as silence was obtained,

General D'EVEREUX presented himself to the company, and again the room rang with plaudits for several minutes. The general delivered his sentiments in a strain of eloquence and affecting emotion, of which we fear we can give but a very imperfect outline. He said, that the great honor conferred on him this day, and the manner in which his health had been now received, were quite unex-

pected, and left him entirely at a loss to convey by words his acknowledgments. When he considered the rank, talent, and respectability of which that numerous assembly was composed, his feelings of gratitude quite overcame him. He was not vain enough, however, to attribute these effects to any merit of his own—it was the great cause of freedom, to which Irishmen's heart's beat responsive in every clime, that produced the sensation he now witnessed. He would ever look upon this day as the happiest of his life, and ever bear it in his proudest remembrance. Whatever should be his future fate, whether he was to conquer in that cause, and establish the independence of the country, whose quarrel he and his brave countrymen had espoused, or was doomed to fall in the field or perish on the scaffold—whether he should triumph or fail in his efforts to overthrow the atrocious despotism of the tyrant oppressors of the new world, the kindness of those of his countrymen, by whom he had been so honored, would support him through the contest, and cheer him in his last moments. He would bear the sentiments of that assembly to the government of Venezuela, and its illustrious chief, BOLIVAR, who was sufficiently informed of the generous character of the people of this country, to enable him to appreciate the value of their approbation—Here the general pronounced an eloquent panegyric on the character and talents of the president BOLIVAR, whom he described as a man of an enlarged and philosophic mind—who had travelled, and learned to know the human character, by personal experience. There was a circumstance to which he would beg leave to claim their attention—It had been reported, that arts and misrepresentations had been used to cajole young gentlemen to embark in the Venezuelan service—he now was surrounded by a large number of these officers who had honored him by placing themselves under his command; he would ask them before this numerous and respectable company if he had ever used such arts? (*Here several voices cried out "no, no, never,"*) no, on the contrary, he had uniformly told them it was a service of much danger, where great privations must be endured and their ultimate reward would depend solely upon the success of their enterprise. In the event of this success, which he most fervently hoped and confidently looked for, the reward would certainly be a glorious one. They would enjoy liberty—they would enjoy independence—they would be the possessors of a rich soil, with all the pecuniary rewards decreed by the government of Venezuela. Such will be their return for the services they may render the cause of liberty and suffering humanity; but in obtaining the advantages I have mentioned, I shall now say, what I always said—I shall now repeat to my brave companions in arms, that they will have many privations to endure, and many dangers to encounter.—I now tell them this, and let it not be said hereafter, that I have seduced my countrymen from their homes, or deluded or deceived any man—[*general cheering and applause for a considerable time.*]—Although it might savor of egotism, he would say of himself, that his character stood so high, that nothing but folly, as well as baseness, could lead him to practise arts that would disgrace it; and though his family could not boast of an antiquity equal to that of the O'CONNELLS, and other Irish families, "as old as the hills," yet he could say that, for a period of six centuries, his ancestors successively occupied their native fields in the county of Wexford; and, he trusted, he never would be guilty of an act to tarnish their name, or cast a shade upon their memory. He was vain, he

admitted, at being honored this day by the countenance and support of two of his personal friends, natives of Wexford, and also the friends of his family—he meant the venerable and honorable baronet, sir Frederick Flood, and colonel Hay, of his majesty's service—he was also proud to see near him another Wexford man, colonel Lyster, who had placed himself under his command, and of whose conduct, as an officer of his staff, he could already speak in terms of unmixed approbation. But I perceive, my lord, (said the general) that in speaking thus of these gentlemen of my native county, I am, in fact, flattering myself; I shall, therefore, desist, and speak of what more immediately concerns this enlightened assembly.—The general then took a comprehensive view of the state of South America, and of the great advantages which the British empire, and Ireland in particular, would derive from the establishment of independence and liberty, in that fine portion of the world. He observed, that British commerce and manufactures were driven out of their ancient channels by the events of the late war, and by the growing industry, and daily increasing jealousy of the continental states of Europe. Great Britain and Ireland must then seek a new market, and in no place can she find it but in South America—that market may yet save her from ruin; and for the linen trade of Ireland, if the South Americans are treated according to the rules of a wise policy, it will more than compensate the manufacturers of Ulster for the loss of every market in the world.—[cheering]—He was anxious for the independence of South America—he loved liberty—he loved and cherished her image in his heart since he could first scamper over the green hills of his native country.—[applause]—He would do all in his power to see it enthroned in the new world; he knew their suffering, and was deeply interested for the fate of the South Americans, but he never could forget to feel for his own country.—[loud applause.]—And it was the conviction of his mind, and the best calculation of his judgment, that he could not serve his country better than fighting the battles of the Southern provinces of America, a country blessed by heaven but cursed by man—rich in all that nature can bestow, but for ages blasted by the most withering despotism that ever shocked and disgraced humanity.—[general cheering.]—He would not enter into a detail of the various matters connected with this important subject—this was not the place for it; he had already taken up too much of the time of an assembly whose kindness he should ever hold in grateful remembrance—the recollection would be useful as well as consoling to his heart; it would be useful, because in whatever situation he might chance to be placed—whether in council or in the field—he would consider that the eyes of that assembly were upon him—he would consider it ever present, and with such a sentinel over his actions he felt confident that he could never go intentionally astray.—[loud applause.]—I trust that the officers of the legion will also keep this assembly in remembrance, and that their actions in a foreign clime will be watched and judged by the most honorable men of their own country.—[applause.]—He felt that he had trespassed too long upon their time.—[No! no! resounded through the room.]—He should, however, conclude with once more returning his heartfelt thanks for the honor conferred on him and the cause of South American freedom—an honor greatly enhanced by the rank and character of those bestowing it. He concluded an eloquent speech, delivered with ease and impressiveness, by proposing the health of the noble

chairman. It would be needless for him to attempt to pronounce an eulogium on the virtuous and patriotic nobleman who presided. His merit was not that he was a lord, said gen. D'Evereux emphatically, but a noble man.—[applause.]

“Lord Cloncurry.”

Lord Cloncurry rose and addressed the company in a very handsome speech. He said that it ever had been his first thought, how best to serve his country, and it was also a source of the greatest satisfaction to him to reflect, that however humble his efforts, they were not altogether without some effect. He preferred a residence in Ireland to all the allurements which the most favored foreign countries could hold out; and, said his lordship, I have been doubly repaid in the possession of the regard and affection of my countrymen, testified on this, and indeed, on many other occasions. He was highly flattered on being called on to preside at this festive meeting, where so large a portion of the talent, virtue, and respectability of his countrymen were assembled; but it was particularly grateful to him from the occasion of it. The object which they had met to celebrate, was one which should have called him out of his tomb, if it were possible for his mouldering clay to be reanimated—it was the cause of liberty—it was to forward and to sanction the endeavors now making by the youth of this country, to promote the liberties of another hemisphere. I cannot avoid, continued lord Cloncurry, adverting in this place to a measure most foolish as well as mischievous, that has been lately resorted to to check this spirit of enterprise in my brave countrymen—I mean the foreign enlistment bill. Born a peer of this realm, I have been robbed of my birth right, and of the privileges which the British constitution guarantees to the peerage, otherwise I should have raised my voice in the legislature against the passing of this law. [Here his lordship descended, in strong terms, on the impolicy of the bill, as it affects the empire, and its cruelty towards the interesting people, who were now seeking, by every sacrifice, to free themselves of the odious domination of the Spanish tyrant.]—He concluded by addressing a few words to the young gentlemen who had embarked in the glorious cause of South American freedom, so many of whom he now saw around him. Inculcate, said his lordship emphatically, upon the minds of the inexperienced people you are going to assist, the necessity of union amongst themselves—without it they perish. We have, alas! seen and experienced the fatal consequences of disunion in our own country—do you warn them from such an example, to avoid the causes which it has produced. If, unfortunately, your efforts shall be unsuccessful—if they will not themselves preserve the freedom of their country, remember that you are countrymen and freemen—be true to one another—be united, and preserve that liberty for them which they cannot do for themselves.—[His lordship sat down amidst the enthusiastic applauses of the company.]

The chairman said, that he was now about to propose the health of a public man, whose conduct deserved the warmest thanks of the people of Ireland—who exhibited a rare instance of virtue and public spirit, and formed a bright exception to all those who had preceded him in office. At a time when intolerance and bigotry sought to prevent the voice of the enlightened portion of the protestants of Ireland from being heard against the perpetration of religious dissensions in Ireland, this respected person called a public meeting, in virtue of his of-

fice, and gave an opportunity to that voice to be raised in favor of a portion of our countrymen, who seek a restoration of those rights to which they are most justly entitled, as they bear an equal portion of the burdens of the state, and contribute, in every respect, to its support. His lordship then proposed the health of—

"Thomas McKenny, the patriotic lord mayor of Dublin."

This was received with general applause.

Mr. O'CONNELL rose, and pronounced an eloquent eulogium on the lord mayor—after which he observed, that in an *Irish assembly*, it might not be out of order to drink the toast a second time—[a laugh]—to which proposition the chairman, with much good humor, assented.

"General Simon Bolivar, and the republic of Venezuela."

General D'EVEREUX stood up to thank the company, in the name of his friend, the brave and virtuous president of the Republic of Venezuela. The general was extremely happy in giving an outline of the public and private life of this celebrated chief. He was descended, he said, of an ancient and noble family, and found himself, at the beginning of the revolution, a proprietor of 1400 slaves, and with a revenue of 200,000 crowns. On joining Miranda, his first act was the emancipation of his slaves—[loud applause]—and soon after he embarked his whole property in the cause. General Miranda proposed to make him second in command—but such was the diffidence and characteristic modesty of this excellent man, that he would only accept the command of a regiment. I recollect (said the general) having sailed in company with him, though not in the same ship, from Carthagena, at a time when, by the chance of war, he had lost everything—but he did not despair. He was subsequently invited by the republic of Buenos Ayres to take a command in that state against the common enemy—but this offer he respectfully declined, adding, "whilst life remains, my own country has a claim upon it—and to it shall all my future exertions be devoted. Whilst a hope remains of delivering my country from its sanguinary oppressors, I shall never abandon it." General D'EVEREUX dwelt with an affectionate warmth for some time longer on the virtues and magnanimity of Bolivar, and sat down amidst loud plaudits.

His lordship next proposed the health of one of the vice presidents of the day.

"Sir Frederick Flood, Bart."

Sir Frederick FLOOD expressed his grateful acknowledgments for the honor done him. He was proud of having an opportunity of giving his sanction and approbation to the principle of South American liberty, and happy to show his personal esteem for his friend and countryman, general D'EVEREUX;—he would yield to no man in his wishes for the welfare of Ireland—he sat many years in parliament, as one of her representatives, and he hoped he had discharged his duty faithfully. There was one topic touched upon by the noble chairman, and he would be free to say, that he differed from the view taken by his lordship upon that question. The foreign enlistment bill was a measure which a regard to true faith, and the true principles of neutrality rendered imperative upon us to adopt, but he did not consider it as an act of hostility to South America—he rather thought it was a *friend upon the march* for the acquisition of Cuba—see what effect it is likely to produce. Time is allowed until the 1st of August for all enlistments now in progress to be completed: it can, therefore, have no ill effect

against them—and even after that day, therefore, will be no law in existence to prevent men from going where they please. There is nothing to prevent their going out as settlers to South America, when they will be beyond the reach of the law, and may act as they please.—[applause.]—He would repeat, however, that he considered ministers right in passing it, and he thought they also deserved praise for their ability and energy in bringing the late war to so happy a conclusion—he, in general supported them, as he considered them preservers of the united kingdom, but not as a dependent or expectant of any favor. The South American cause he considered as standing upon its own great merits, totally distinct from party or prejudice—it was a cause in which every man, whatever might be his opinions on our domestic policy, must feel interested, and which it was the best interest of these countries to cherish and promote, and from the bottom of his heart wished it success.—Sir FREDERICK concluded a very able speech, amidst the acclamations of the assembly.

The chairman then proposed the health of "Mr. O'Connell."

Mr. O'CONNELL returned thanks. He adverted, in strong terms, to the evils which must necessarily result from the misrule of Spain over the south western continent.—What nation, he asked, oppressed by a despotic government, has ever arrived at a high degree of excellence in arts, civilization, or commerce? Will not the history of Athens furnish us in one year, with more events which are interesting to mankind, than whole ages, in the annals of those nations which groan under the iron sway of despotism.

"Colonel Aylmer, and the other colonels and officers of the Irish legion."

Colonel AYLMER rose and returned thanks.

"Mr. Finlay and the Stewards."

Mr. FINLAY drew an animated picture of the miseries which South America suffered under the Spanish despotism, and of the benefits which the old as well as the new world must derive from the establishment of its independence. We regret that our limits will not permit us to follow counsellor Finlay through his very able speech in our present number.

Lord CLACKMANN then gave the health of

"William Humphreys."

This toast was received with applause, and drank with great warmth.

Mr. HUMPHREYS returned thanks, and expressed his attachment to the cause of South American independence and liberty.

Lord CLACKMANN proposed the health of Ireland's duke.—[a burst of applause.]—His lordship said, he was the unworthy representative of his grace, who regretted extremely that he could not preside on the occasion—that he was prevented by an arrangement made before he had heard of the intended dinner and which, from circumstances, could not be altered. His grace had the highest respect for general D'EVEREUX, and his heart was warm in the cause.—[Cheering.]

"His grace the duke of Leinster."

This toast was drank with enthusiasm, followed by repeated cheering.

"Charles Phillips and the emerald isle."

Mr. PHILLIPS then rose and spoke to the following effect:—

MY LORD AND GENTLEMEN—I sincerely thank you; to be remembered when my countrymen are celebrating the cause of freedom and humanity, I cannot fail to be grateful—to be so remembered when a

personal and valued friend is the object of the celebration, carries with it a double satisfaction; and you will allow me to say, that if any thing could enhance the pleasure of such feelings, it is the consciousness that our meeting can give just offence to no one. Topics have too often risen up amongst us, where the best feelings were painfully at variance—where silence would have been guilt, and utterance was misery. But, surely here at length, is an occasion where neither sect or party are opposed—where every man in the country may clasp his brother by the hand, and feel and boast the electric communication. To unmanacle the slave—to unsceptre the despot—to erect an altar on the inquisition's grave—to raise a people to the attitude of freedom—to found the temples of science and of commerce—to create a constitution, beneath whose ample arch every human creature, no matter what his sect, his color or his clime, may stand sublime in the dignity of manhood—these are the glorious objects of this enterprize, and the soul must be imbruted, and the heart must be ossified, which does not glow with the ennobling sympathy. Where is the slave so abject as to deny it? Where is the statesman who can rise from the page of Spanish South America, and affect to commiserate the fall of Spain? Her tyranny, even from its cradle to its decline, has been the indelible disgrace of christianity, and of Europe—it was born in fraud, baptized in blood, and reared by rapine—it blasphemed all that was holy—it cankered all that was happy—the most simple habits, the most sacred institutions, the most endeared and inoffensive customs, escaped not inviolate the accursed invader—the hearth, the throne, the altar, lay confounded in one common ruin; and when the innocent children of the Sun confided for a moment in the christian's promise, what! oh, shame to Spain! oh, horror to christianity! oh, eternal stigma on the name of Europe! what did they behold?—the plunder of their fortunes, the desolation of their homes, the ashes of their cities; their children murdered without distinction of sex; the ministers of their faith expiring amid tortures; the person of their Ynca, their loved, sacred, their heroic Ynca, quivering in death upon a burning furnace; and the most natural, and most execrable of all idolatries, their consecrated Sunbeam, clouded by the murky smoke of an inquisition, streaming with human gore, and raised upon the ruins of all that they held holy! These were the feats of Spain, in South America! This is the fiery and domestic sway for which an execrable tyrant solicits British neutrality! Ireland, at least, has given her answer. An armed legion of her chosen youth bears it at this hour in thunder on the waters, and the sails are swelling for their brave companions. I care not if this tyranny was ten thousand times more crafty, more vigilant, more ferocious, than it is; when a people *will it*, their liberation is inevitable—their very inflections will be converted into the instruments of their freedom—they will write its charter even in the blood of their shrines—they will turn their chains into the weapons of their emancipation. If it were possible still more to animate them, let them only think on the tyrant they have to combat—that odious concentration of qualities, at once the most opposite, and the most contemptible—timid an singuinary—effeminate and ferocious—impious and superstitious—now embroidering a petticoat; now imprisoning an hero—to-day kneeling to a God of mercy; to-morrow lighting the hell of inquisition—at noon embracing his ministerial pander; at midnight starting from a guilty dream, to fulminate his ba-

nishment—the alternate victim of his fury and his fears—faithful only to an infidel priestcraft, which excites his terrors, and fattens on his crimes, and affects to worship the anointed slave as he trembles, enthroned on the bones of his benefactors. Who can sympathize with such a monster? Who can see, unmoved, a mighty empire writhing in the embraces of it is *human Boa*? My very heart grows faint within me when I think how many thousands of my gallant countrymen have fallen to crown him with that ensanguined diadem—when I think that genius wrote, and eloquence spoke, and valor fought, and fidelity died for him, while he was tasting the bitterness of captivity, and that his ungrateful restoration has literally withered his realm into a desert, where the widow and orphan weep his away, and the sceptre waves, not to govern but to crush! Never, my lord, never, whether we contemplate the good they have to achieve, the evil they have to overcome, or the wrongs they have to avenge—never did warriors march in a more sacred contest. Their success may be uncertain, but it is not uncertain that every age and clime will bless their memories, for their sword is garlanded with freedom's flowers, and patriotism gives them an immortal bloom, and piety breathes on them an undying fragrance. Let the tyrant menace, and the hireling bark—wherever christianity kneels or freedom breathes, their deeds shall be recorded, and when their honored dust is gathered to its fathers, millions they have redeemed will be their mourners, and an emancipated hemisphere their enduring monument. Go, then, soldier of Ireland, (*turning to general Devereux.*)

"Go where glory waits thee!"

Montezuma's spirit,* from his bed of coals, through the mist of ages, calls to you for vengeance—the patriot Cortes, in their dungeon vaults, invokes your retribution—the graves of your brave countrymen, trampled by tyranny, where they died for freedom, are clamorous for revenge! Go, plant the banner of green on the summit of the Andes. May victory guide, and mercy ever follow it—if you should triumph, the consummation will be liberty, and in such a contest should you even perish, it will be as martyrs perish, *in the blaze of your own glory*. Yes, you shall sink, like the sun of the Peruvian whom you seek to liberate—mid the worship of a people, and the tears of a world, and you will rise reanimate, refulgent, and immortal!

During this speech Mr Phillips was frequently interrupted by the applause of the company, and after he sat down the cheering continued for some time. As soon as silence was obtained,

General D'EVEREUX rose and said—"Mr. Phillips, though I am conscious that it is contrary to the usual custom to rise again, still such is the effect your eloquence has produced on me, that I cannot avoid offering you my personal thanks. I trust the day is not far distant, when that eloquence will, in the senate, be successfully exerted in the cause of your country at home. From my soul I rejoice that the brave officers of my staff and army were present to hear you. There is not a man amongst them, whom that speech must not send into the field of battle

*Mr. Phillips here alludes to the fate of Montezuma, the most unfortunate and the most heroic of the sovereigns of Mexico. The Spaniards trepanned him into their power, and stretched him upon a bed of *red hot coals*! When he was expiring, he turned to one of his followers, whose tortures made him shriek—"Look at your Ynca, (said he mildly,) do you think I am on a bed of roses?"

with a heart more warm, and an arm more nerved. My lord, I hope you will excuse this breach of form, but my sensations were such, I could not avoid it.

(*Gen. D'Evereux sat down amid loud cheers.*)

"Mr. Moore, and the bards of Erin." (Applause.)

After the acclamation had subsided, it was followed by an universal call for Mr. Phillips; that gentleman at length stood up, and spoke as follows:

My Lord—I am too much overwhelmed by the reception I have experienced, to be able to address you upon any topic, and yet it is expected that I shall thank you, in the name of Moore, the most eloquent, the most inspired of the poets of our country. The last time we met here was to honor him—how natural it is that our next meeting should be to celebrate the cause of freedom; for surely there breathes not a man whose heart beats more warmly in that cause, or whose genius casts on it a more splendid illumination. (*Loud applause.*) Indeed it would be difficult to select, either in his public or his private life, a quality to which we would be inclined to give a preference—his virtues rival one another, and it is hard to say whether we should most admire him as a son, an husband, a father, or a citizen. I speak only of the qualities which are his own—as to his genius, it is from heaven. Public report says he has fallen into misfortune—it is a topic almost too delicate to touch; but if he has, I hope it will have no other consequence than giving his countrymen an opportunity of testifying their estimation of him. (*loud cheers.*) Was I to make a prophecy, I would say that his adversity will only call forth nobler and purer emanations of his spirit. When such a flower is bruised, its fragrance only becomes the more perceptible. (*Loud cheers.*) My Lord, in the name, since you will have it so, of Mr. Moore, I thank you—he has found in me but an inelegant and insufficient substitute. Since I am up, however, will you allow me so far to trespass upon etiquette as to propose a toast. (*Loud applause.*) It is the health of the only guest whom we invited to meet gen. D'Evereux, and whose invitation has accidentally missed him. It is the health of a clergyman—an apostle of liberty as well as of religion—a man than whom there is none more beloved in his native town, and who must be both loved and respected wherever he is known—I mean

"The Rev. Mr. Shepherd, of Liverpool."

Mr. Shepherd's health was then drank with great enthusiasm.

Lord Clonmurry gave

"Leonard MacNally, and the Irish bar"

Mr. MacNally said, he considered this compliment a mark of distinction which, he doubted not, the bar would esteem as it merited, an honorable and kind mark of attention. He would venture to assert, that the members of that body wished success to the noble band who intended to give liberty to South America. The bar were always found friends to liberty; and history evinced, that whenever tyranny ventured to set up her standard, that truly respectable body came forward with ardour and with spirit, in defence of the rights of the people. Often have they been found a barrier against despotism—a rock upon which tyranny has split in her endeavors to enslave. As to himself, he was conscious of the personal honor conferred on him, and so agitated by feelings of the warmest gratitude, that he could not, free and unembarrassed, give vent to his sentiments—indeed, words would be inadequate, and do wrong to the expressions which his mind dictated—of those feelings of the heart, for the great and glorious cause, which had engaged in its service so many veterans and so

many youth of his native country, as now appeared before him—and so many as had already embarked, and were on their way. He should, therefore, be very concise. He viewed this band of Irish soldiers not merely as patriots, but, if possible, of a character more elevated—as armed citizens of the world, vindicating the cause of all mankind, dedicating their lives to the noble, the brave, the glorious efforts of emancipating an enslaved people.—Leaving their native country, their families and most tender connexions, to rear the standard of freedom, where her influence was never felt before, on the plains of South America; an unhappy country, where the chains of tyranny had ever galled the people, and the will of delegated tyranny was held as law. The noble general, and the officers who graced the festivity of the day, he observed, were not mercenaries making war, to shed blood, and inflicting calamities upon a people—but heroes; not a war to subject their fellow-creatures, but to cut asunder the bonds that disgraced them, and to endow them, and to teach them to enjoy the great blessing God bestowed on man at his birth—the enjoyment of civil liberty. To assist in this divine cause he had contributed, he might say, his blood—he had sent out a son, a son of seventeen years of age, to add his infantine strength and youthful ardor to the spirit and vigor of *D'Evereux's* legion. In his boy's courage and in his principles he confided—confided implicitly. A fond father might freely say, this was a trying sacrifice; but it was a sacrifice in the cause of humanity—a sacrifice in the cause of freedom—a sacrifice to Heaven!—If he returned, joyful will be the meeting with the survivors of his family—if he falls, honorable will be his death; his setting will be brilliant, and, in either case, he will have done his duty.—He then drank health to the noble lord who presided, to general D'Evereux, colonel Aylmer, the other officers, soldiers of the Irish legion, and his fellow citizens, whose countenance he was delighted to see illumed with glowing wishes of success to the Irish expedition to South America.—[*much applause.*]

The noble chairman said, he had to propose the health of an Irishman, who, though living in a foreign land, never forgot his country or his countrymen—whose munificence was proverbial; who did not confine that munificence to the distressed of his countrymen who might fall in his way, but extended his friendship, his benevolence, and protection to all who, having a fair character, seemed to him to have a fair claim on his generous nature. His lordship trusted there were many such in the United States of America, but he singled out the gentleman he was about to propose, as he understood him to be the personal and highly valued friend of general D'Evereux.

"Our countryman, Robert Oliver, of Baltimore, the munificent friend of all mankind."—Drank with acclamation.

General D'Evereux pronounced an animated and eloquent eulogium on Mr. Oliver, whose heart and whose purse was open to the good, and the distressed, of all nations he described him as the distinguished and generous friend of his youth. When he (the general) landed in America, had it not been for the friendship and fatherly protection of Mr. Oliver, he might have sunk into obscurity, and have passed through life unknown. However, his kindness has not been confined to one, or to one hundred individuals; a great portion of his vast fortune has been dedicated to the best purposes of our nature, and the services he has rendered suffering humanity are almost incalculable.—[*much applause.*]

There were several other appropriate toasts and sentiments given in the course of the evening.

About twelve o'clock lord Cloncurry, general D'Evereux, sir Frederick Flood, Mr. O'Connell, and colonel Hay, quitted the room.

A part of the company remained, and kept up the hilarity of the meeting until an early hour in the morning.

The wines were of the best kind, and the dinner served in great abundance.

Colonel *M. Dermott* had signified his intention of being present, but was prevented by sudden indisposition, which was much regretted.

The absence of the military secretary of the legion, colonel *Sutton*, was also regretted, from a similar cause.

The necessity of concluding the publication of the constitution of Alabama, together with the elegant account of the splendid dinner given to gen. D'Evereux, at Dublin, previous to his departure for South America, leaves but little room for any thing that we might have had to say, and excludes some miscellaneous matters that we wished to have noticed in this sheet.

 THE SUPPLEMENT to the last vol. has been forwarded, or in a day or two will be, to all who ordered it, or are accustomed to receive them, by mail. We are at present interdicted from sending it to sundry places by water, as heretofore—but we hope to forward it shortly. A few surplus copies remain, which those who desire to have it will please to order. The editor has nearly resolved that it shall be the last that he ever will publish—yet it preserves a great mass of good things.

☞ The bills for the REGISTER, made up to the usual period, have now been generally forwarded--and the attention of gentlemen is earnestly invited, that the part which belongs to them in this matter, may be done, and "well done quickly."

HEALTH OF BALTIMORE.

Interments for the week ending yesterday morning,
Friday the 24th of Sept. at sun-rise.

	Malignant.	Other diseases.	Adults.	Children.	Total deaths 1819.—1860.
Sat'd'y, Sep. 18,	19	10	19	10	29
Sunday, 19,	8	14	10	12	22
Monday, 20,	9	13	11	11	22
Tuesday, 21,	16	3	11	8	19
Wednesday, 22,	9	6	10	5	15
Thursday, 23,	10	3	9	4	13
Friday, 24,	6	1	4	3	7

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By adults is to be understood all persons of, or more than 21 years of age.

Supposed (resident) population, Sept. 24th 1800—20,000; do. in 1819—60,000.

Further comparative view—whole deaths.

	Hospital.			Fell's Point.			Old-town.			West of the Falls.			Total.
	1800-1819.	1800-1819.	1800-1819.	1800-1819.	1800-1819.	1800-1819.	1800-1819.	1800-1819.	1800-1819.	1800-1819.	1800-1819.	1800-1819.	1800-1819.
Sept. 18,	8	4	14	17	2	2	7	6				31	29
19,	4	3	13	10	0	2	3	7	20			20	22
20,	5	2	16	6	1	3	6	11				28	22
21,	5	3	11	11	0	0	3	5	19			19	19
22,	1	1	12	6	2	1	9	7				24	15
23,	5	2	10	6	1	1	9	4				25	13
24,	2	3	15	3	2	0	6	1				25	7

To understand the preceding table, which however is rendered as plain as possible, it is necessa-

try to observe, that the returns of deaths for 1800, in the column headed "west of the Falls," includes those who died in the *two* precincts—Now that district of the city which was called the *eastern* precincts is included in the part denominated "Old Town." The interments for the Alms House are included in the amount "west of the Falls." These remarks are of no great importance, but in tabular statements especially, we wish to avoid all possibility of misconstruction, if we can.

The city of Baltimore was recently divided into 12 wards, in which it was designed that the population of each should be as nearly equal as the nature of things would admit. "Fells Point" is composed of the 1st and 2nd wards; "Old Town" of the 3rd and 4th; and the city "west of the falls" is divided into the remaining 8.

At the present season, all of those who have died at the Hospital were brought from 'Fells Point.' The same remark, we are informed, may be generally applied to the state of things in 1800, until the latter end of this month.

Except the cases mentioned by the committee of the "Medical and Surgical society," no one of yellow fever is known to have existed in the city west of the Falls, or in Old-town, since our last report; a contagious quality in the disease is universally denied.

District medical and surgical society. At a meeting held at the mayor's office on Monday afternoon, the 20th inst. the following report of the standing committee for the investigation of the state of the health of the city was received:

REPORT.

After a daily and careful enquiry, we have in our power to inform the society, that our fellow citizens generally, west of Jones' Falls, have continued through the past week to possess their usual health. Although the disease on Fell's Point has been attended with an increased fatality, yet it still furnishes us with the same evidence of a domestic and local origin.

On the western side of the Falls we have found two cases of malignant fever, the subjects of which we are satisfied have had no recent communication with the Point; one in Pratt street near the Falls, and the other in Sharp street. We have also found two other cases, one in Cowpen alley, and one in Commerce street, whose infection in the city is supposed to be doubtful. We think, however, that no surprise should be excited, because these few cases have arisen. The large extent of this portion of the city, and the season of the year, should rather create astonishment that for so long a period only four cases of bilious fever have been attended with the symptoms usually denominated malignant.

During the past week the communication of diseased persons from the point with the city has been unrestrained; yet we have not met with any instance of contagion. The hospital has also been crowded as usual with the most malignant cases, and the physicians and nurses remain entirely free from the disease.

ENNALS MARTIN,
JAMES PAGE,
EZRA GILLINGHAM,
JOHN B. CALDWELL,
P. MACAGLEY,

The above report was adopted by the society and ordered to be printed.

ASHTON ALEXANDER, pres't.
J. B. CALDWELL, sec'ry.

A DAY OF FASTING, &c.

In pursuance of the following recommendations, Thursday last was generally observed in Baltimore as a day of public fasting, humiliation and prayer.

CLERICAL NOTICE. In consequence of previous notice, a number of clergymen, of different denominations, met in the vestry room of St. Paul's Church, on last Saturday, the 18th instant. The right rev. Dr. Kemp was called to the chair, and the rev. Mr. Hargrove appointed secretary. The object of the meeting was stated by the chairman to be as follows:—Inasmuch as it has pleased the Almighty to visit a remote section of our city, called Fell's Point, with a malignant and mortal fever, it was deemed highly proper to call upon the citizens to devote a day to fasting, humiliation and prayer, to Almighty God, that of his infinite mercy and goodness, he would be pleased to arrest this severe calamity, where it does prevail, and to protect our city from its influence, where it has not yet appeared.

On motion, it was *resolved*, that the pious object of the meeting meets the unanimous approbation of this body.

Resolved, That next Thursday, the 23d of this month, be appointed a day of fasting, humiliation and prayer, that the citizens be requested to suspend, on that day, all worldly business—to humble themselves before the Almighty in deep contrition for their sins—to meet in their several places for divine worship, and to join in prayer to the SUPREME BEING, that in the midst of judgment he would remember mercy, and avert those evils which our sins have most justly deserved.

Resolved, That a committee be appointed to wait on the mayor and solicit his sanction of and co-operation in this matter. The committee appointed were the right rev. doctor Kemp, the rev. Mr. Duncan, and the rev. Dr. Jennings.

JAMES KEMP, chairman.

JOHN HARGROVE, Sec'y.

A PROCLAMATION. Whereas, from the pious usages of our forefathers and the example of holy men in all ages of the church, we are taught to believe that in times of great public or private calamity, we ought in a peculiar manner to humble ourselves before the Supreme Governor of the Universe—to acknowledge our dependence on Him who is the supreme arbiter of events—to confess our manifold offences, and to supplicate his tender mercies in averting the manifestations of his great displeasure: Impressed with those solemn and awful truths, the clergy of the various denominations of Christians in this city, have recommended that a day of humiliation, fasting and prayer, be set apart, and the several worshipping assemblies meet on that day, for the purpose of imploring ALMIGHTY GOD, that he would be pleased to arrest the progress of the malady now prevailing at Fell's Point, and restore our city to its wonted health:

Now, therefore, I, Edward Johnson, mayor of the city of Baltimore, pursuant to the foregoing recommendation of the reverend clergy, do hereby recommend and advise that *Thursday* next be set apart as a day of humiliation, prayer and fasting, and that all persons within said city do abstain from their ordinary occupations on that day, and from all worldly recreations and amusements.

EDWARD JOHNSON, Mayor.

September 20, 1819.

Boston. A few cases of malignant fever have recently occurred—but the disease is confined to one

small section of the town. Seven or eight deaths happen weekly.

New York. The board of health has recommended that the citizens should refrain from watering the streets, believing the practice is calculated to promote putrefaction.

The cases of malignant fever reported are not more than two or three per day, and all, it is stated, may be distinctly traced to "Old Slip or its neighborhood." But a wonderful degree of alarm prevails, and the people have precipitately left the most populous and busiest part of the city. The board of health, though very nervous and active to arrest the progress of the disease, have endeavored to quiet this excessive alarm. By acts of great energy (for the corporation of New York are invested with many powers that a contemptible jealousy has denied to Baltimore), the "infected district" has been entirely cleared of inhabitants—we understand that the streets are closed up, and that no one passes through them except with liberty from the board of health, or in the performance of special duties under its charge. For two days not one case of yellow fever had been reported; and we hope and trust that New York may be exempted from the distress and misery that prevails on "Fells Point." No case of *contagion* has appeared in New York: yet with all the facts before them—the locality of the disease and the proof that it is not contagious, we suppose that their *quarantine laws* are still in force against Baltimore!

Several of the public institutions and three or four of the printing offices, have been removed.

Philadelphia. Though the yellow fever is acknowledged to exist in New-York, the Philadelphia board of health has not yet *proclaimed* its non-introduction from that city! This is spoken of as being partial; seeing that Baltimore, five-sixths of which is as healthy as Philadelphia, is "published in the newspapers." Two cases of malignant fever, however, occurred in that city last week.

Washington City. The corporation of this city has formally declined to take any measures to restrict or interrupt the intercourse with Baltimore.

Charleston is still afflicted with the yellow-fever; about 30 die of it weekly. It is peculiarly fatal to strangers.

New Orleans. The yellow fever has suddenly broke out in this city. A letter of the 18th August gives the deaths by it at 25 or 30 per day. It then chiefly raged in the lower part of the town and among the shipping.

APHORISMS OF BANKING. The business of a merchant ought to be proportioned to his capital and credit. So ought that of a bank.—The capital of a bank is fixed, but its credit is precarious and fluctuating, because its engagements are payable on demand.—The business of a bank is, principally, lending money. *Ergo*: the loans granted by a bank, or the sums of money due to it, *per fas et nefas*,—ought to be proportioned to its capital.—The debts due to a bank, not the debts due *from* or *by* it, are the proper criterion of its solidity.—Of late years, since legislatures have hatched such institutions by scores, the notes of a good bank, prudently managed, which can be kept in circulation, amount seldom to more than from one third to one half of its capital.—Deposits, of course, constantly vary, but are frequently equal to one half or two thirds of the amount of notes in circulation.—All the debts a bank usually contracts are: notes in circulation, and deposits, that is, "money lodged for safe keeping."—What then, considering the premises, must we think

of the practical wisdom of the following section of most or all charters of banks in the state of Maryland:

"Sect. 7th. The total amount of the debts which the said corporation shall at any time owe, whether by bond, bill, note or other contract, shall not exceed double the amount of the capital actually paid into the said bank; provided, that the money deposited in the said bank for safe keeping shall not be considered as the debts of the bank within the provision of this clause." K.

21st Sept. 1819.

To Mr. Niles.

Revolutionary Speeches, &c.

A considerable time has elapsed since the editor of the REGISTER announced his intention to attempt the collection and publication of a volume of revolutionary speeches, orations and papers, to rescue from oblivion some of the noblest efforts of the minds of men struggling for freedom. He has now to notify those who have subscribed for the intended volume and the public, that so much progress has been made in obtaining good things, as to justify him in putting the work to press. The publication will not be hurried, but it may be expected to appear early in the spring.

It is proposed to entitle the volume as follows:

Principles and acts of the Revolution:

OR,

A collection of speeches, orations and proceedings, with sketches and remarks on men and things, and other fugitive pieces, belonging to the revolutionary period in the United States, which happily terminated in the establishment of their liberties.

"Collecta revirescent."

DEDICATED TO THE YOUNG MEN OF THE UNITED STATES.

Ever since this volume was proposed, it has been much regretted that a work like unto it had not been attempted when interesting facts were fresh on the recollection, and materials were abundant. Many of the choicest productions of an epoch which must always be the most memorable in our history, are lost forever; and its feelings, which might have warmed the heart of a patriot posterity, are dissipated by the hand of time, or lost in the cold details of the historian; though some thousands of these have participated in the work of emancipation still remain with us, whose details occasionally emit a bright spark as if from "the altar of seventy-six."

Believing, as we do, that the *simplicity of the truth*, as held forth by those who devised and executed the severance of this country from the power of a despot, has been widely departed from, no effort on our part shall be wanting to encourage a spirit to seek after and hold on to the principles which appear essential to the preservation of the rights and liberties of the people of the United States; under an assurance that *vigilance is the condition on which freedom is granted to us*. But we enter upon the undertaking before us with considerable diffidence--fearful of the want of a just discrimination, and also of time for research and reflection to do justice to the weighty concern. It seemed however, to be imposed on us a duty, and we will execute the task as well as we can.

The materials, though the stock is pretty large, are not yet sufficient for the extensive work contemplated. The editor of the REGISTER has, for several years, been a collector of scraps and rare

things--several gentlemen have liberally contributed articles which they would not have parted with except on an occasion like this; and others have promised as liberty to overhaul their neglected stores of old papers; but much useful matter must be in the hands of those with whom we have not yet communicated on the subject; and every patriot is invited to give his aid to this collection, designed to record the feelings of "the times that tried men's souls." Letters may be sent to the editor at his cost for postage, and originals will be carefully returned, if requested. When copies from manuscripts are presented, it might be well to permit us to state the source from whence they were derived, if necessary.

In the present gloomy state of the times, there is but little encouragement to do any new thing, requiring an expenditure of money; but it appeared to the editor that if he did not commence the work now, he should be compelled to abandon it altogether. The number printing is only 1500, of which more than 500 are engaged--and its number will be reduced unless the copies are spoken for very speedily. Pecuniary profit is a secondary consideration in this matter; but the editor is resolved not to invest money in printed paper to remain on his hands, if he can avoid it.

It is expected that the volume will be about the usual size of those of the WEEKLY REGISTER; not as attached to that work, but to match it for such of the subscribers thereto as please to possess it: that is, it will make a volume of between 4 and 500 pages of super-royal octavo, and be printed on a brier type, for three dollars each copy--a price which, considering the quantity of matter to be given, will not be thought unreasonable. If what shall be deemed revolutionary affairs, in sufficient quantity and suitable quality, to fill the volume, cannot be had, the number of pages shall be made up of more modern things, but of the old fashion. The work will be delivered folded and collated, ready to be put into the hands of the binder.

Subscriptions are solicited--they will be received by the editor, or his agents, in all parts of the United States. Publishers of periodical works, friendly to the undertaking, will oblige us by noticing this prospectus.

Foreign Articles.

GREAT BRITAIN AND IRELAND.

A couple of fellows were encouraged by a crowd of people to fight with their fists, until one of them killed the other--700 or 800 persons witnessed the murder, near London!

RIOTS AT MANCHESTER--From a late British paper. On Monday the 16th of August the reform meeting was held at Manchester. There were not less at this meeting than 100,000 people, collected from all the villages round for 20 miles. Orator Hunt was the leader. The approach of the different bodies of the deluded populace of which it was constituted, was made with all manner of outward display, in order to impose forbearance on the civil authorities. Banners and bands of music added their effect to the march of the different divisions of the reformers, which was conducted with something like military precision. Among the former were several bearing the following inscriptions and devices: "Let us die like men, and not be sold as slaves!"--"No corn laws--Annual parliaments, and universal suffrage--for Cartwright's bill!"--The rose, supported on each side by the shamrock and thistle, with two hands united, and the word union among them. Three different flags, bearing the cap of liberty,

on the flag-staff. "*Equal representation or death!—taxation, with false representation, is unjust and tyrannical.*"

Women, in considerable numbers, were united in these processions, and advanced with them to the general place of meeting in Peter's square. When every thing of preliminary arrangement had been concluded, Hunt with his immediate party, mounted a platform prepared for their reception, from whence he proceeded to address the multitude. His harangue was suffered to go on one hour, until the riot act had been read in due form, and then he was interrupted by a body of cavalry, acting under the orders of the civil magistrates. *They made a full charge in full gallop, amongst the crowd to the platform on which he was placed, cut it down with their swords, and took Hunt and all on the stage prisoners.* They then made a second charge to disperse the people, *in which hundreds were thrown down and rode over.* Five lost their lives, and about 100 severely wounded. All continued confusion till evening, when the mob broke some windows in the New Cross. The 88th foot then fired on them and killed 4 men; they were assailed by the mob with stones and brickbats, and one dragoon was knocked down by a blow, and has since died. On the 17th all was alarm, and the streets crowded with militia. Orders were issued for all the shops to be closed, and it was reported that some thousands were coming to Manchester with pikes and arms. Cannon was placed in the streets, but the mob seemed desperate, and determined to have revenge. [*Our accounts are no later than the 17th.*]

Among the prisoners taken were Hunt, Johnston, Knight, Moorehouse, Saxton, T. Hollins, S. Smith, P. Clarke, J. Hindley, J. Senior, T. Crabtree, C. Shaw, D. Shaw, J. Fielding, W. Mason, J. Halslam, T. Dawson, J. J. Langley, J. Davis, J. Unsworth, J. Green, Ann Coates, W. Ranshaw, W. Fien, J. Lang, J. Edwards, G. White, A. O'Neil, J. Kershaw, J. Swindels, D. Byrnes, G. Bell, J. Bell, J. Higgins, W. Barnes, J. Mills, J. Howe, T. Bencroft, M. Conroy, T. Miller, T. Helmark, W. Chantler.

The above is a brief abstract of the proceedings at Manchester—the detail fills two or three columns of a newspaper. The number of people assembled is variously estimated, from 50 to 100,000. It is denied that the riot act was read as stated. All was perfect peace and quietness until the cavalry bravely charged upon unarmed men and women, killing some with their swords and trampling others to death with their horses' feet! They were charged upon by two bodies of cavalry in different directions. The whole number murdered must have been more considerable than is stated, and many were dreadfully mangled and wounded. One gallant dragoon, it appears, singled out a woman to display his valor; and as she did not resist, he succeeded in cutting her down with his sword! Another brave fellow killed one of his own party—a special constable, by "cutting him to the ground."

"The British government, it is said, are determined to use all the means in their power to suppress the spirit of insurgency which is increasing at a great rate; and they appear to be aided by all classes of subjects, except those of the laboring class."—It is then a war of the unproductive against the productive classes—a war of corruption and rags against honest industry and solid wealth.

There has been very numerous promotions of admirals, generals, &c. in the British navy and army.

Average price of wheat for the quarter, ending Aug. 7—76s 2d. The ports shut, though wheat from the United States might be had much cheaper.

Stocks, Aug. 16—3 per cent. consols 71 3-4.

SPAIN.

Letters are in town from Madrid, which expressly declare that the ministers Pizarro, Yrujo, and Onts, are all arrested, on a common accusation, of an illicit and unauthorised sale of Florida, with views to their own immediate profit, and some private combinations in Spain and the United States; they also say that the king was never consulted on the subject! [Aurora.]

GERMANY.

Present state of the Austrian army, as published this year by authority, without including the guards:

Infantry of the line, 58 regiments; national infantry, called frontier regiments, 17—Croats, 1 battalion—Tyrolese chasseurs, 1 regiment—chasseurs, 12 battalions—garrison battalions, 5—curassiers, 8 regiments—dragoons, 6 do—light horse, 7 do—husars 12 do—hulants, 4 do—field artillery, 5 regiments—garrison artillery, 14 regiments, and the corps of engineers. The oldest of the regiments were formed during the 30 years war, which lasted from 1618 to 1648.

PRUSSIA.

A letter from Hamburg says—"The accounts from Prussia continue to wear a gloomy aspect—The unfortunate division between the king and his subjects threatens some serious consequences. It is said that field marshal Blucher is watched closely—Gneisenau, next to Blucher in rank, and governor of Berlin, is under actual arrest. The prince, army and people form one party, while the king, with his ministry and the nobility form the other—Time only can tell what the consequence will be."

There is again a talk about giving a constitution to Prussia.

London, July 28. Accounts from Berlin of the 15th inst. state, that a certain Doctor Frederick Lewis John, had long been insinuating revolutionary principles into the minds of the university students, and had urged the right to assassinate the students who were obnoxious to his faction. He has very properly, therefore, been conducted to a fortress, and proceedings are in progress to bring him to trial.

An article from Nassau, dated the 19th instant, states, that the president, Ibel, is ill in consequence of the late attack upon his life; he has returned, with his wife, to Wiesbaden. Lohning has been conveyed to the same place for trial. Like Sandt, he evinces no repentance; he prefers death by his own act to dying on the scaffold; he has refused food during several days. Since dead.

HUNGARY.

On the 4th of May a fire broke out in the town of Bath, in Hungary, the property of prince Easterhazy, which consumed 197 houses, 20 barns, 14 grape cellars. The next day the fire burst forth again, and consumed 55 house more, and a catholic church.

TURKEY.

Many persons die of the plague at Constantinople --but it does not appear to be general.

There have been considerable disturbances at Constantinople among the Janissaries, which ended, as usual, in the cutting off of heads, &c.

EGYPT.

Constantinople, June 12 The latest accounts from Egypt state, that a courier, dispatched by Ibrahim Pacha, has brought the news that the capital of the Wahabites, Danieh, has been totally demolished. 200 relations of the chief, Abdallah, who was beheaded, got to Cairo to settle there. Ibrahim Pacha will go to Mecca, to deposit on the tomb of Mahomet the prince's offering, namely—the hair of his head, according to the vow he has taken. The

province of Mocha will return, in consequence of these events, under the true heir of the Caliphs, and send to the Sultan an annual tribute of 2000 cwt. of coffee.

We learn from Constantinople, (says a late Paris paper) that the news has been there received, of a new success gained over the Weclabites by Mohamid Ali, pacha of Egypt, who has penetrated into Arabian Felix, and conquered that country, and made it a province of the Turkish empire. The zeal of the pacha in introducing European institutions, is much praised in Egypt. He has established an insurance in Alexandria, by means of shares taken by the first commercial houses in Egypt. He has opened, with several thousand men, the ancient canal between Ramanieh and Pompey's pillar.

The vice roy Mohammed Ali Pacha, conceived the design of digging a navigable canal, from the Nile to Alexandria, by means of which large boats might be enabled to convey merchandise directly to Cairo, independent of the changeableness of the weather which often impeded their progress to Rosetta and rendered the entrance of the Nile impassable.

The works commenced in October last—and their superintendence is committed to Mohammed Bey, who had the command of 300 troops destined to preserve order amongst the workmen, collected from the country, who are changed once a month. The waters of the Nile having increased more than had been expected, the labors were suspended, and recommenced in the month of December. The workmen were augmented to 30,000—at present, the whole number employed amounts to 270,000 persons. The genius and activity of Ali Pacha promised to conduct this enterprize, so useful to commerce, in a short time, to a glorious issue. The workmen are divided into eight divisions: at the head of each is a Bey with a certain number of troops. Besides these, Ismaeil Pacha, with a corps of cavalry, patrols incessantly the whole line of divisions, to inspect the workmen and animate them in the performance of their labors. The length of the canal is to be 45 miles, its breadth 90 feet; but its depth has not been yet decided. Besides the Turkish engineers, foreigners are also employed, amongst whom is Don Carlo Pilloite, a Neapolitan.

Nearly 250 persons are said to die daily of the plague at Cairo.

BARBARY POWERS.

A letter from Leghorn states, that a revolution has taken place at Tunis—the Bey and all his family, having been massacred, and a new Bey set up by the Algerines, who had obtained the ascendancy.

Tungers, June 10.—The king of Morocco, at the head of an army of 50,000 men, and attended by his son, and principal Bashaws, marched, last month, against a numerous tribe of rebellious Arabs, for the purpose of chastising them. On the 21st, the attack commenced at 11 in the morning, and was kept up until 5 in the afternoon, when the whole of the king's army, himself included, remained at the mercy of the conqueror, having lost between killed and wounded, no less than 20,000 men. The Arabs desperately charged with the bayonet, having the deep river Morberg at their back, to put it out of their power to run away. This spirited determination, and the skillful manœuvre by which they cut off the retreat of the king's army, were the causes of the victory proving so decisive.

The Arabs, however, did not make such an ill use of it as was to be feared, since, although they completely plundered their prisoners, they spared their lives; and Muley Bunnear's skiffs, under whose

protection the king put himself, allowed him to come back to his dominions. In the mean while, ten days having elapsed without the fate of the king or of his son being known, this town was threatened with an anarchy, which excited the greatest apprehensions. These, however, were at an end the moment we heard that the king had arrived at Ta, in good health; and that his son was on his way to Fez.

Letters from Gibraltar state, that the emperor of Morocco, was about to take the field, with an immense army, against a large tribe of Arabs, who lately defeated and wounded one of his sons, and succeeded in making one of his wives a prisoner.

EAST INDIES.

Sumatra.—We hear by capt. Felt, that the English expedition from Bengal, consisting of several company's cruisers with troops under the command of sir Rumford Raffles, had arrived on the coast of Sumatra to take possession of all the ports on the west coast of that island, which had been ceded to the English by the king of Archeen. *Salem Reg.*

WEST INDIES.

Dreadful. We just announced the arrival of 5000 troops at the Havana. They paraded in great pomp for about seven hours in the heat of the sun, and we are told that 400 of them were on the evening of that day sent to the hospital, to die of the yellow fever. It was thought that a majority of the persons composing this expedition would cease to be in less than a month!

SOUTH AMERICA.

The London Globe intimates that the "Holy Alliance" has taken the pretensions of the "adored" Ferdinand into their holy keeping, and resolved to maintain his sovereignty in South-America; for which purpose the British passed the "foreign enlistment bill," and are now sending out a naval force under sir Thos. M. Hardy.

It appears that Aury has lately returned to Old Providence, to divide the spoils recently made in a predatory expedition to the gulph of Dulce, in which he was very successful.

CHRONICLE.

The Congress frigate, captain Henley, having on board Mr. Graham, our minister to the court of Brazil, has arrived at Rio Janerio, all well. There does not appear to be a good disposition towards us at that place, and the people are represented to be in the most miserable condition for want of employment.

Mathew Lyon, esq. has published a long article addressed to the editors of the "Kentucky Reporter," proposing to cure hard times, by an act of the legislature of Kentucky, prohibiting the importation therein, for the space of ten years, of any articles not manufactured in the United States!!!

Emigration. The number of emigrants still arriving is enormous. In the last week, according to the newspapers received at this office, not less than 2500, perhaps three thousand, arrived, chiefly at New York, Philadelphia and Baltimore. Nearly 400 arrived at the latter on Saturday last.

Fire. A large part of the town of Maysville, Ky. has been consumed by fire.

A naval rendezvous for shipping seamen for the United States' ship *Columbus*, is opened near the navy yard in Washington city.

Indiana. Mr. Jennings has been re-elected governor. The votes were for J. Jennings 7801; for Mr. C. Harrison 2327—majority 5474.

Col. Townson, lately appointed paymaster general

of the army, has entered upon the duties of the office.

A sea serpent, estimated to be one hundred and fifty yards long, is reported to have been seen in Pamunky river, Virginia.

General Jackson, (says an English paper) the so-called Hannibal of the west, has to boast of England, as his country, though bred to arms in America; being born at Moretonhampstead, Devon!!!

Missouri. Mr. Scott is re-elected delegate to congress. The votes were, for Mr. Scott 1363; col. Hammond 970.

The Niagara Gleaner, of the 26th ult. says "on Saturday last, the famous Mr. Gourlay passed over the river in the ferry boat at this town, after brushing the dirt off his boots."

Cholera morbus. Common cork thoroughly burned, is recommended as a certain cure for this severe disease. "It acts as an absorbent and neutralizer of the acid." It is taken without difficulty, and three doses, of a whole cork each, in half an hour, effects a cure. One dose is generally sufficient. So says an account before us.

The Ohio. The "Illinois Emigrant," speaking of the low ebb of the Ohio, and consequent derangement of commerce, &c. says, "It is astonishing to think that the Ohio, one of the largest rivers in the world—the Ohio, whose swollen waters some short months ago presented a current of fifteen hundred miles in length and from one to ten in width, and whose depths were almost unfathomable, should now be (comparatively) a small stream, fordable in many places, and literally seeking its way over pebbles to the great father of rivers, the Mississippi."

Miss Patterson. The French papers say, that Miss Patterson, the first wife of Jerome Bonaparte, is arrived at Geneva with her son, who is about fourteen years of age, for the purpose of whose education she intends residing in that city.

Musquitoes. A little oil of penny royal, rubbed on the hands and face, just before going to bed, it is said, will keep these troublesome animals at a respectful distance.

The steam boat Phoenix took fire while under way on Champlain, on the 5th inst. at 1 o'clock A. M. by some act of carelessness in the pantry, or cook's room. The progress of the flames was so rapid, that of about 30 passengers and persons on board, eight were missing. The passengers, &c. had generally retired to rest.

Molasses from wheat. Mr. Abraham Whitson, of Shenandoah county, Virg. has lately manufactured molasses from wheat, according to the plan of Mr. James Wisheart—the yield is from three to four gallons per bushel, the "quality" nearly equal in taste and flavor to the imported. The process is given as follows—"The grain is ground and mashed, as if for distilling—as soon as the mash arrives at the highest state of saccharine fermentation, it is strained, and the beer (as it is called) boiled down to molasses."

The design is to convert the molasses into sugar, but this operation is not noticed in the article before us.

The *Constellation* frigate will shortly sail from Norfolk to join com. Perry. The Peacock is about to depart for the Mediterranean. The Erie has been despatched by com. Stewart in search of a pirate who lately robbed an American vessel, on her passage to Gibraltar.

The Arkansas territory, over which gen. Miller is to preside, as governor, is represented as rich in soil, and having the advantages of an unobstructed

and noble river of more than 2000 miles in extent. It is also said to abound in silver, and that with half the labor that is expended in working the mines of Peru and Mexico, a richer abundance of the precious metals might be produced. It is worth "trying," at least.—*American Farmer*.

Beautiful ink. Many gentlemen who receive the Register, have asked where we obtained the ink with which it is directed?—We make it for ourselves, and the following is our receipt, for which we are indebted to Joseph James, esq. If the ink is carefully made, according to the directions (though in the last we made they were much neglected) it is of the best quality of any we that ever met with.

Improved composition of black writing ink.

Take a gallon of soft water, and boil in it 1lb. chips of logwood, for about 1-2 an hour, then take the decoction from the fire, and pour it from off the chips, while boiling hot, on a pound of the best Aleppo galls, reduced to a fine powder, and two ounces of pomegranate peels, put into a proper vessel. After having stirred them well together with a wooden spatula for some time, place them in the sunshine in summer, or within the warmth of the fire, if in winter, for three or four days, stirring the mixture as often as may be convenient. At the end of that time add 1-lb. of green vitriol powdered, and let the mixture remain 4 or 5 days more, stirring it frequently, and then add further 4 ounces gum Arabic, dissolved in a quart of boiling water, and after giving the ink some time to settle, strain it off from the dregs, and keep it well stopped for use.

If the ink be desired to shine more, the proportion of the pomegranate peel must be increased; and in the country, where the logwood cannot be so easily obtained, a pound of ripe privet-berries may be substituted for it.

In order to secure this ink from growing mouldy, 1-4 pint or more, of spirit of wine may be added; but to prevent its containing any acid, which may injure the ink, a little salt of tartar, or pearl ashes, should be added previously, and the spirit poured off from it, which will render it innocent with regard to the color of the ink.

Military road.—We learn, by a gentleman from the section of country through which this road is opening, that it is progressing very handsomely; that the troops employed have been reinforced, and it is believed the road will be completed in November. The upper end of the road is already opened. We are not informed how far the lower end is completed. This road, when finished, will make the route from Nashville to Orleans about three hundred miles shorter than now travelled, and is therefore, of the utmost importance to the western country. We understand, much credit is due to the officers in command, for the handsome manner in which the road is opened.—*Nashville Whig*.

Michigan. The present white population of the Michigan territory is estimated at 12,000; that of the Indians at 17,000.

Venerable pastor. Mr. Porter, senior pastor of the church in Ashfield, Mass. is in his hundredth year. At the late ordination of Mr. Shephard, as junior colleague, he was able to ascend the pulpit without assistance—lay his hand on the head of his young colleague in the consecrating prayer—and attend to all the exercises. In his charge he was audible, distinct, and appropriate; the audience preserved profound silence, and were deeply affected by the dying address of this very aged servant of Christ. Perhaps a similar occurrence was never before witnessed in New England, and never will be again.

NILES' WEEKLY REGISTER.

NEW SERIES. No. 5—Vol. V.] BALTIMORE, OCTOBER 2, 1819. [No. 5—Vol. XVII. WHOLE No. 421

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

IMPORTANT PROCEEDING. *Copy of a letter to the editor of the WEEKLY REGISTER, dated Chillicothe, Sept. 17, 1819.*

"DEAR SIR—The law of this state against the U. States' bank, in this town, was carried into strict execution to-day. A person deputed by the auditor entered the branch and demanded the tax of fifty thousand dollars—which sum being refused, he proceeded to the vault, and swept all that could be found, and had it taken off and deposited in the bank of Chillicothe. The circuit court, which had been sitting, and adjourned last evening, had granted an injunction. The branch bank, it is probable, will be shut for a short time.

☞ Much as we are opposed to the principle and operation of the bank of the United States,—decided as we are in the opinion, that congress transcended its authority by incorporating it—and convinced also, that the decision of the supreme court, in the case of McCulloch vs. the state of Maryland, was wrong, yet believing that the states have a right to tax this institution and its branches—still we regret this act of Ohio. It is not for any of the states, much less individuals, to oppose force to the operations of the law, as settled by the authorities of the United States, however zealous we may be to bring about a different construction of it, through persons legally vested with power according to the constitution, to act in our name and in our behalf.

HEALTH OF BALTIMORE.

Interments for the week ending yesterday morning, Friday the 1st of October, at sun-rise.

	Malig- nant diseases.	Other Adults.	Chil- dren.	Total deaths 1819.—1800.
Sat'd'y, Sep. 25,	6	10	7	9 16 31
Sunday, 26,	11	4	13	2 15 27
Monday, 27,	10	12	10	12 22 18
Tuesday, 28,	6	10	8	8 16 14
Wednesday, 29,	13	10	11	12 23 25
Thursday, 30,	3	6	7	2 9 18
Friday, Oct. 1,	4	7	7	4 11 29

112 162

By adults is to be understood all persons of, or more than 21 years of age.

☞ Supposed (resident) population, Octobr 1st, 1800—20,000; do. in 1819—60,000.

Further comparative view—whole deaths.

	Hospital.	Fell's Point.	Old-town.	West of the Falls.	Total.
	1800-1819.	1800-1819.	1800-1819.	1800-1819.	1800-1819.
Sept. 25,	5	3	17	6	2 7 5 31 16
26,	6	2	11	9	3 2 7 2 27 15
27,	3	2	10	9	2 3 3 8 18 22
28,	2	2	7	2	0 1 5 11 14 16
29,	3	3	11	14	2 1 9 5 25 23
30,	3	0	6	4	2 1 7 4 18 9
Oct'r. 4,	5	2	8	3	1 1 15 5 29 11

162, 112

District medical and surgical society. At a meeting of the district medical and surgical society of Baltimore, held on Monday the 27th ult. the following report was received.

The standing committee appointed by the district society to investigate the state of the health of the city,

Vol. XVII.—5.

REPORT.

That their exertions have been unremitting during the past week, to enable them to lay before the society correct information. They deeply lament to state that, since their last report, no favorable change has taken place in the condition of the malignant disease prevailing at Fell's Point. They have not, however, been enabled to discover, either from their own observation, or by communications received from the medical gentlemen practising in that portion of the city, that the infection disseminates itself with rapidity. The disease seems at present to exist northwardly in Gough st. southwardly at the water, eastwardly at Harris' creek, and westwardly at Harford run; beyond these limits your committee would respectfully suggest to their fellow-citizens, that it is unsafe and imprudent that they should extend their intercourse. It is worthy of observation, that although numbers of persons have daily become infected in the atmosphere of this district, yet the disease has not advanced with the rapidity which always accompanies contagious disorders, a fact in the opinion of the committee, which conclusively establishes the noncontagious character of the disease.

It becomes the duty of the committee to inform the society, that five cases of bilious fever, marked with symptoms of malignancy, have been reported to them, since they made their last communication, as originating west of Jones Falls; two of these cases occurred in persons transacting business on Smith's wharf, one of which has terminated fatally—the third in south Frederick street, which appears also from the information obtained by the committee, to have been contracted at Smith's wharf. The remaining two are in the vicinity of the glass-house. The committee are satisfied that none of these cases have had any recent communication with the Point.

The great part of our population remains free from the desolating scourge of malignant fever, and in other respects enjoy their usual health.

The committee have felt, during the course of their investigation, the very great importance of the duties entrusted to their charge. Their researches were commenced with an honest zeal for the public good—and however responsible, or however laborious the duty, to search out and promulgate the truth, they will not be intimidated, but pledge themselves to continue to perform the arduous task while it shall please the society to honor them with their confidence.

To the board of health, and their medical brethren, who have offered them every assistance, they seize this opportunity to tender their acknowledgments.

Ennalls Martin,
James Page,
P. Macauley,
Ezra Gillingham,
John B. Caldwell.

The above report was adopted and ordered to be printed.

ASHTON ALEXANDER, Pres't.

J. B. CALDWELL, Sec'y.

☞ Since the date of the preceding, a few more scattering cases have appeared in those parts of the city which were hitherto considered healthy—generally, however, in persons whose business required

their attendance on Smith's dock, or near to the lower parts of the basin. But not much alarm has yet been occasioned by these appearances of the disease, and the advanced state of the season encourages a hope that the body of the city may be exempted from its ravages. A few days will shew us what reliance is to be placed on this expectation. Some persons have retired from their places of business adjacent to those at which the fever is supposed to have originated—but we do not hear of any families that are leaving the city on account of these things. "Old Town," (except in its lower part, adjacent to the basin), and the city "west of the Falls," are peopled so nearly as usual, that the retired population is not missed.

Boston, Sept. 25. The official report of the board of health this day published, shows, that not a death occurred in town, in the preceding week, of malignant fever, and only two of typhus. The town is now considered as restored to health.

New York. A few cases of malignant fever yet occur. The alarm has been extravagant; but it is well that the "infected district" has been depopulated. One newspaper contains a list of two hundred and forty six business-establishments that have been removed since the fever made its appearance in this city. The police regulations are exceedingly strict. A great number of the merchants have opened their stores at Greenwich.

Only 74 deaths reported for the last week—7 of which were by malignant fever; 26 under 2 years old.

The *Albany Gazette* has the following paragraph—"The board of health of this city, after several meetings and consultations, have declined taking any order on the subject of the yellow fever in the city of New York, or to pass any resolution interrupting the free intercourse and communication between the two cities. In this highly honorable and liberal proceeding, they have followed the example of the city of Washington, and several other places, in respect to the fever at Baltimore."

Philadelphia. Interments for the week ending on the 25th ult.—75; of malignant fever, 3. This city is healthy. Cases of malignant fever are met with almost every where, near the tide waters of the United States, though happily in most places they are not so general as in a few others.

Charleston. We do not observe any material change in the nature or progress of the fever prevailing in this city, since our last report. The same remark applies to the condition of things at *New Orleans*. Thursday last was a day of public fasting, humiliation and prayer at Charleston. Deaths for the week ending Sept. 21, by yellow fever, thirty seven.

Bermuda. The yellow fever is said to rage severely in the Bermudas. About a fifth of the garrison, and many others, had fallen victims to it.

Desultory Remarks.

ADDRESSED TO A SOLDIER OF THE REVOLUTION.

The columns of the revolution ins and outs—perfectibility desired infallibility of great men—Balaam and his ass—bank of England, and its effects—"holy alliance" of corruption and rags—princes & bishops, and the blood of men—principle to cheat—where the love of money leads, Belzebub drives—black-cockade—a turn—soldiers' certificates—effects of the paper system—persons travelling rough-shod over decency—sales of legislators insolvent laws—forgeries, encouraged and punished—"right honorable" banks—facts worth recollecting—cases of counterfeits—the Mechanics' bank and Franklin bank of Baltimore—

difference of a public and private character in acts of justice—resolution resolved upon—principles of taxation—direct and indirect taxes—about making a good treasury report—"prosperous revenues"—real wealth and solid resources—profit and loss.

DEAR SIR—I honored my REGISTER of the 18th ultimo, by publishing the letter which you were pleased to write to me on the 2d of that month. It came very opportunely, as if just for the special purpose to which it was appropriated. I love to lean against the venerable columns of the revolution: wisdom, strength and beauty have unity in them; and confidence surrounds them, as with the pure and invigorating atmosphere of our native Alleganics.

But for the article which you so much approved of, I have been pretty severely assailed. As much as it was possible, I avoided the semblance of a personal attack upon any one; because such is the line of conduct that I have prescribed for my own government. It is entirely out of my way, blindly to support or heedlessly censure individuals. I have nothing to ask of the ins or the outs, and am quite as independent of any party or faction, or body politic or corporate, as they or any of them, are of me. There is no office in the gift of the general or state governments that I would accept of, on the condition of quitting my own, except a judgeship; and that only, at this time, because I would arrive at perfection—for judges, you know, "cannot do wrong!" My press is my own; and there is no man living who can direct me to say "we understand," as the manner is, when printers are compelled to father, as editorial, things that certain persons, public or private, see proper to send to them. Hence, I have little respect for the *Swiss*-pens which are always ready nibbed to be used in behalf of great men, (from the highest officer of government, down, down to the manager of the rag-bank of the village,) if the most distant suspicion is urged against their infallibility. We smile at this doctrine, as applied to the incumbent of St. Peter's chair; but should not be the worse of it, if we were to examine into things at home, and see whether we ourselves do not practise what we condemn in others. You very well know that I am not a grumbler against government, nor the individuals composing the administration of my country; though I do not approve of that system of policy which prostrates domestic industry to a mistaken economy, and sacrifices a large portion of the public happiness to make a good treasury report on the finances; of which I shall say more below.

I send you a newspaper containing one of the attacks upon me. It is a splendid collection of hard words, thrown together just as if the writer had taken up a dictionary and selected only such as conveyed debasing ideas. You will observe that he says he addressed it to me, because he knew that Mr. ——— would not deign to notice my remarks. Perhaps he is mistaken in this respect: but the circumstance, I am sure, will bring to your recollection a remarkable history in an Old Book that you are well acquainted with—wherein a certain man that was going astray, was crossed in his path by the spirit of truth; and as he would not, or could not speak to it, a long-eared animal that he rode was wonderfully gifted on the occasion. But, enough of this subject—I have already occupied more room about it than a legion of such things is worth:—though they are well enough, now and then, to amuse one in these dull times.

If we pay the least respect to experience, we may form some estimate of "the moral force which a command of the circulating medium of a country confers." The bank of ENGLAND shews it very clearly. This

institution is independent of "king, lords or commons," except so far as its *interest* mutually works with that of the government, in an "holy alliance" of *corruption and rags*. The government no more *dares* order that the bank shall pay its debts like *honest* men pay theirs, than grant to the people universal suffrage and annual parliaments. Either of these would shake the throne and its altar to pieces; and what a "sorry sight" would it be, to behold the "illustrious line of Brunswick," and the "right reverend fathers in God," the bench of bishops, deprived of the least of their "legitimate rights and privileges," by which they riot on the sweat and blood of their fellow men! I have been sometimes led to believe that it is a principle in governments to cheat the people—and from this source it comes, that laws are passed in England to *restrict* the bank from paying its debts; thereby conveying the idea that it would pay them, if *permitted*. This is perfectly understood. It is not the *profit* of the bank to do it; and where the love of money leads, Belzebub drives. But suppose that a majority of the directors of the bank—about half-a-dozen irresponsible individuals who influenced the board, were, from any cause, to resolve on the destruction of the government—could they not "stop its wheels" in three months, by resuming specie payments? Certainly they could do it—neither the public nor private revenues of the country could be paid, if the bank dealt out coin, as it used to do. This is not a matter of supposition—the thing was tried in 1816, when the condition of the country was much better than it is now, and the jails were *instantly* so crammed with people that private buildings were hired for the confinement of debtors: for the products of agriculture, the best tests of value perhaps, immediately lost one-third, or more, of their price, though the taxes and rents remained at the same rates. The latter might have been reduced in time, but government requires a *certain amount* of income, and "must have it." This amount cannot be paid but by means of a *fictitious* value on commodities; hence the *corn laws*, and other regulations to produce similar effects. Such is, then, the power of the *banking machine* in England. "It is truly a creature greater than its creator." The like effects will result here, unless the people are jealous of the Bank of the United States; and woe will come upon us when it interferes with the *political* concerns of the nation—which it will do, if not checked, as certainly as that it has disappointed the expectations of the country. The time has been that a man, who did not wear a *black cockade*, might as well have offered up his prayers to the *father of mischief* for a benefit, (as some savages do,) as have asked an accommodation of a bank of the United States—and if the shavers and brokers who manage the present corporation of that name, are pleased to prescribe one of any color you please, as the test of political standing—English, French, Dutch, Russian, Turkish, or barbarian, be assured that it will be mounted in the most of our *cities*, and looked up to as the badge of gentility! I could tell you a queer story about one of these black-cockade people, and name him too if it were necessary, (that has pretended to shed tears in hearing an eulogy on Washington), who signed a paper which had for its purpose the assassination of the "father of his country" in the career of his usefulness; at the time that you, perhaps, were a shoe-less supporter of the rights of humanity, under his command. And, as the person I allude to is very rich, it is quite possible that the certificates given to you for your services in the revolution, and which you sold for two shillings and six pence in

the pound, may have contributed to form the *right* which wealth confers on some men to insult and trample upon others!

But, it may be observed, that the paper of the bank of England answers most of the purposes of *money* to the people, and it is therefore advantageous to them that it should continue to be a substitute for cash. I shall consider this briefly, because there are many in the United States, (as in other countries) who are exceedingly desirous of becoming rich by speculating in the funds, stocks, &c. and who want a paper currency which may be used as a *legal tender*, to aid them in their projects: which, in this time of peace, (and it also ought to be a time of prosperity), there is no more necessity for, than that I should batter my head against a stone wall to brighten my ideas.

What has the paper-system done to England, &c.? A full reply to this question would involve the history of a large part of the civilized world for about 25 years past—but for *herself*, it has accomplished these things since the suspension of specie payments, with many others of the same character:

1. It has raised the public debt from about 234 millions to about 1000 millions of pounds sterling—forever destroyed the idea of paying it off; and indicates to us that the day must come when the interest on it *cannot* be paid.
2. Anterior to the suspension of specie payments, the amount drawn from the *people* by government was about 18 millions; it may now be averaged at more than 65 millions—which is equal to more than 25 dollars *per head*, for every man, woman and child in England, paupers and soldiers and other exemptions excepted. Hence it is, that the *whole labor* of the country, further than a bare sufficiency of the cheapest materials by which life can be sustained, goes to the support of government, its minions and the great men.
3. It has increased the *paupers*—that is, the persons permanently or occasionally, wholly or partially, relieved by the proceeds of the labor or resources of others, for about 900,000 to nearly 2,500,000 persons—and advanced the poor rates from 24 millions to about 8 millions of pounds sterling.
4. In short—it has converted an independent yeomanry as into herds of Russian slaves—substituted wretched meals of potatoes, *only*, for those of "roast beef and plumb pudding," and besides, sends millions "superfluous to bed"—taken away contentment and given misery—banished honesty and introduced corruption, so that bribery is nearly legalized by statute—exalted the rich and the designing to the highest pinnacle of pomp and pride and crime,—and depressed the laboring poor to the lowest scale of intelligent beings, *pretending* to be freemen.

It is not worth while to go into details to show that these things are the result of the "paper system;" because every body knows it was *that* system which enabled the government to carry its profligate schemes into execution—whether of unnecessary foreign war or in domestic violations of right. The countless millions appropriated to these things could not have been appropriated, but by the aid of a paper currency. We have samples enough of the profligacy that belongs to it: we have seen bank directors and bank clerks, that we thought were lately no better off than ourselves, living like nabobs; and as it were, riding rough-shod over the decencies of an *honest* life. While paper will go, there will not be wanting manufacturers and managers of it: and *is inevitable tendency is to make the rich more powerful, and the poor less respecta-*

ble. There is not, alas! hardly one neighborhood in the United States in which the point of this truth has not been severely realized, by modern banking. There is one *satisfaction*, however, which we have that the people of England are not yet possessed of, though it will certainly come to them also: it is in the ruin of many of those who designed to ruin us:—and the dirty sales and purchases of votes in legislative bodies, begin to be rightfully estimated.

If it be asked, how the notes of the bank of England have pretty nearly the same value in the estimation of the people of that country as gold or silver, the answer is easily found in some one or all of these things: 1, the requisitions of government are so great as to force the circulation of an immense quantity of them; 2, every rich man in the nation, as they are a test of the worth of his property, is interested in maintaining their credit—which, 3, is maintained through the great balance of trade that England draws to herself, through the folly of other nations, in suffering her to manufacture for them. The productions of her industry are of enormous amount—her laborers, perhaps, average sixteen hours per day, for a day's work; which is, at least, one-third longer than the people work in any other country; and machinery, in its highest state of perfection, assists them in every thing they do.* But if other nations were to manufacture for themselves, the power of the government, supported by the united influence of every rich man in the country, could not keep the notes of the bank from depreciating. We know that when Napoleon's "continental system" was in operation, that a guinea (21s.) was worth nearly, 30s. in bank notes: if he had moderated his ambition, so as to have kept on good terms with the powers of Europe a little longer than he did, there is every reason to believe that a 5*l.* bank note could have been purchased for a guinea.

There is one abomination which has its chief *practical* operation in consequence of the paper system, that I never can think of with patience—I mean in our *insolvent laws*, as they are called. Men who have twice or thrice "taken the benefit of them," walk our streets with the confidence of decent men; insensible of any moral obligation to pay their debts, because the law excuses them from it! Imprisonment for debt, except in case of positive fraud, is worse than useless; but I cannot see how it is that I have delegated to the legislative power of the state, a right to exempt any man from the performance of a fair contract with me. The state being interested as to the *persons* of individuals, may properly say that their labor shall not be lost to the community, either by their misfortunes, mistakes, or offences—but why is it, that the law should interfere to release any one of his obligation to pay what he owes, out of the proceeds of his *future* industry, I never could discover. If people were not to be released from the payment of their debts, except by discharging them, or by some act of their creditors, we should have a state of things very different from that which at present exists. Men would be careful how they made contracts; and steadiness and

comfort in business would succeed wild speculation and poignant distress. The *honest* man never was—never can be, benefitted by a law to exempt him from the performance of a fair and honorable contract, because *he* will perform it, if ever he is able to do it: a law then, to destroy the obligation of contracts, is enacted for the benefit only of imprudent and bad men; though, while it exists, many of other descriptions are compelled, through their *associations in business*, to take advantage of it. Thus, if the law sanctions A. in cheating B.,—B. may be compelled to cheat C, and so on to the end of the alphabet.

Another thing belonging to the "paper system" claims a large portion of our indignation. It is well known to you that the British *minist y* have countenanced, and *national* vessels of war have transported, counterfeits of the paper currencies of the United States and France, during their revolutions—yet forgeries on the bank of England are never forgiven! The same spirit prevails *here*: people may say what they please, but like causes will produce like effects every where; and any man or thing that is *above* the law in the United States, is just as bad as such men and things are in England, except that *PUBLIC OPINION* yet has a force in it here which is unhappily swallowed up there, by the general corruption. Now, what would you think of me if I, *knowing* that some little villain had counterfeited my name to present an account against *you*, in the belief that you would pay it, as if to me—were not to give you due and timely notice of the fact? Certainly, I should lose your good opinion in one moment, and you would consider me as a scoundrel, if I required it of you to pay the debt a second time. But such is the usage of many of our "right honorable" banking institutions. Instead of proclaiming counterfeits upon them, their managers suffer the people to find it out at their own cost! Two singular cases have recently occurred in this city, which I feel it my duty to mention. We have had two very extensive issues of small forged notes, *one's and two's*, as of the *Mechanics bank of Baltimore*; both so well done as to be passed upon ninety-nine in one hundred of common dealers. The bank in its official capacity, instead of warning the people of these things, have subjected them, even in this city and its neighborhood, to suffer the loss perhaps of many thousand dollars, rather than affect the credit of its small notes! The history of the last emission of two dollar notes is singular: a long time ago, several months before the forgeries were put in circulation, the bank was informed that a flood of counterfeits of *this description* would be issued—but every thing was kept snug, that the forgers might be detected. Some of them were taken up, but not until they had filled the country with their spurious paper, and deprived many an honest man of the hard-earned products of his industry. What good does it do to me, who lighted a segar with one of these notes, that three or four of the makers of them are caught! It does nothing towards the indemnification of my loss—which the bank might have prevented by advising the people, under the signature of their cashier, that such notes would be afloat; and recommending that all of that denomination should be drawn from the currency, by presentation at the bank, either for payment or to be exchanged for others of a *different* denomination. It is true, a scrap was published, as editorial, in one of our newspapers, notifying the existence of these counterfeit bills, *after* the great mischief was done; but the *bank*, itself, even yet, has not deigned to be guided by these rules which would govern between you and me, or any two per-

*It is calculated that 200 hands by machines will spin as much cotton as *twenty millions* could have done 40 years' ago, with the common spinning wheel. The work now done in Great Britain in this way would require sixty millions of hands in the old way. It is further calculated that the manufacturing machinery of all kinds, in England, does the work of four hundred millions of artisans, without machinery.

sons desiring to act properly towards one another. It has not *publicly* called in its notes of the denominations stated, and every few days I meet a poor laboring man or wretched woman, on whom they have been passed. I lately saw a miserable female returning from market at 9 o'clock on a Saturday night, with an *empty* basket, because of this forgery, and the want of rightful measures to prevent the circulation of these villainous two dollar notes.

The other circumstance is still more curious. Counterfeit bills of the *Franklin bank of Baltimore* (for 5 and 20 dollars, from the genuine plate, and if not printed upon such paper as was used by the bank, so nearly like it that the difference is not easily discovered) were found out to be in circulation. They were badly filled up and the signatures were not well executed; but as nobody had a *suspicion* of them, two or three were received in our own banks on deposit, as good money. I do not know how the thing got out that such notes were abroad, for the bank did not proclaim it. Hearing of them, and seeing one of them in the hands of a laboring man, I took the thing up, and addressed a note to the cashier on the subject. Some persons, no doubt, thought this was very impudent; but the cashier, seeing the correctness of the *principle* that I contended for, treated my note very politely, and so far as *he* could individually act in the case, did all that justice seemed to require at his hands—but anonymously in the newspapers; because, as I suppose, the board of directors would not sanction an official notice of the fraud, lest it might injure the circulation of the notes of the bank! "Charity begins at home," says the *corporation*. I am convinced, by the explanations afforded and the facts ascertained, that *very few*, not perhaps, more than two or three sheets of the bills of this bank have been illegally thrown on the public, and I am also satisfied that neither the officers of the bank nor the gentlemen employed to print the notes, can be suspected of having participated in the fraud. I cheerfully bear testimony that they are superior to it—it was the work of an underling. But the fact existed—all that I complained of was, that the bank did not publish it for the safety of the citizens. It is not probable that the like will ever happen again.

Now, be pleased to understand me, that nothing in these remarks are specially intended to implicate the characters of the officers or managers of the banks named, further than for an omission of what was their duty. I have the pleasure to be on a friendly footing with some honorable men belonging to both institutions; nor is there any thing extraordinary in their proceedings, as to the cases stated—for I believe that *banks*, generally, never proclaim the fact of counterfeits upon themselves. This shews the force of what has oftentimes been observed, that "corporations have no soul,"—and that several of my neighbors, who I am sure in their *private* capacities, would step into my office to forewarn me of wrong, lose this estimable quality in their *official* characters, as to like acts of generous justice to the public: yet as *public* men their obligation is exactly the same to the public, as that which they owe as individuals to their inoffensive neighbors, in similar circumstances.

I will tell you what I have resolved to do, if hereafter any bank within striking distance of me, neglects *officially* to notice any counterfeit upon it. I will absolutely refuse to circulate its notes—I will treat them as *dubious* wherever and whenever I meet them; and if, by the nature of the case my own convenience will be subserved by taking them, knowing that they are genuine, such bank shall

surely pay me their amount in specie, though I immediately deposit the cash in another. If a few persons were to act thus in the vicinity of banks, they would soon discover that "honesty is the best policy." I shall conclude this part of my letter by advising you, to refuse all one or two dollar notes as of the *Mechanics bank* of this place—the *one's* that I allude to, have the name of Mr. "Owen Allen, teller," for their signature. These were as "plenty as blackberries." The *two's* are of the new emission, as if signed by Mr. "John Brice, cashier," and ought to be wholly rejected. It is possible that these remarks may give offence; but you and the public will judge whether the *principle* that I contend is "right in itself"—and if so, it is quite immaterial to me whether the *corporations* are offended or not.

Well—I expect by this time, my venerable friend, you are considerably fatigued, and have wiped your spectacles several times, being determined to get to the end of my letter. But exert a little more patience: I have yet something to say about taxes and treasury reports, and to take a passing view of several important matters—as I believe them to be.

I have expressed a *notion*, and applied it generally, that it is a principle in governments to cheat the people: and certainly, it is no less a fact that the people love to be cheated. Thus, in the taxes imposed, a preference is given by both parties to such species of impositions as act *indirectly*, and always *unequally*. And, a man will readily pay fifty dollars a year on the sugar, coffee, and tea, and other imported things that he consumes, who would grumble intolerably, if on these being taken off he was compelled to pay half as much for his land. What a perverse disposition is manifested here; but governments take advantage of it, and instead of telling a man honestly what it is that he has to pay, they *cheat* him out of so much of his earnings as are needful to them, if enough can be raised by such means. But in a government constituted as ours is, it is the true policy of the people to avoid indirect taxation, as one of the greatest of evils; because, not *feeling* the payment of them, they are less attentive to ascertain how their money is expended. Now, if the numerous millions of dollars (about twenty, if I recollect rightly) that were given up to the merchants nearly as a *clear profit*, by the act of congress exculpating them from a wilful violation of the non-importation law (and for his exertions in which Mr. Cheves owes his elevation to the presidency of the bank), had been *directly* taken from the pockets of the people—the members of congress who voted for it would have had leave to stay at home, universally. Yet, we poor credulous things, very patiently paid this enormous sum in an advance on the price of the goods, levied for the *express purpose* of covering it, just as the amount of the usual duties are added, and said nothing about it!—Nay, I dare say, most persons have nearly forgotten the transaction; though every body remembers each of the direct taxes of the United States, the *whole* of which added together produced a less amount than what we gave to the merchants, "for nothing at all," but to quiet their clamors, "as a sop to Cerberus."

These *indirect* taxes are unavoidably unjust. On the necessities of life, the products of agriculture, the farmer may just as *certainly* levy the amount of tax which he pays to the government for his land, as the merchant adds the duties to the cost of his goods imported—and the farmer has this advantage, that the people cannot do without his commodities. It is needless to say that the consumer *always*

pays the tax upon an article consumed, no matter what shape it appears in; and many taxes though loudly complained of, have really proved *profitable* to those producing the things taxed, from the *extra* price which they charged for them. But by means of the indirect taxes of the United States, I do not pay less than 100 or 150 dollars a year to the support of government; when perhaps, a farmer in your neighborhood, worth ten times as much as I am, and with as large a family as mine, may not pay more than 20 or 30, if so much. The condition of the society in which I live, compels the sufferance of this disparity. I cannot remedy it, if I "do as other people do;" but how is it to be reconciled with reason, that some, who do not hold one foot of real property to be benefitted by the stability of government and improvement of the country, should pay five or ten times more taxes to the state than those who own princely domains, being equally liable also to military duty and other requisitions of the law? I would, therefore, if I had my way, suffer no *indirect* taxes, except such as should be of a protective or prohibitory character, or on matters of luxury. Then we would be taxed equally; and the agriculturalists, the stay of the republic and support of republican manners, having *first* to pay the bulk of the revenue, could *ascertain* what became of the money! They could not suffer any ultimate loss by the change; but we should gain a *spirit of vigilance* by it to preserve the liberties of our country "to the thousandth generation:" for government would then be regarded as every man's concern. The operation of this sublime principle is the only surety for freedom. "Angels, in the form of men have not descended to govern us;" nor have we any reason to suppose that they will.

I will now explain what I mean by making a "good treasury report"—premising, however, that I design to find fault with the general policy on which we have acted, and especially with congress, and not with the officer who now is, or such as have been, at the head of that department; for the administration is, or at least *ought* to be, the mere instrument of the will of the people, as expressed through their representatives.

It is pompously stated in the British papers, that their revenue is in a prosperous condition, though a large loan was just negotiated to support the expenditures; and we also have a semi-official exposé of the state of our government's income—(see page 38)—that looks very pleasant; and, under other circumstances, would be quite agreeable to us all. But do either of these indicate the prosperity of the nations to which they respectively appertain? By no means. It is an accepted truth, that one-half of the laboring people of England cannot get enough to eat of the coarsest food, such as *our* farmers chiefly raised to feed their hogs and cattle upon; and it is no less notorious in the United States, that our commerce is broken up, and almost every kind of mechanical or manufacturing industry so checked, as not to employ *one-half* of the persons willing to labor in them, that they may live independently. An unthinking person, though esteemed as an elegant scholar, who was a warm admirer of England and her manners, once directed my attention to the sale of the duke of *Something's* wine, which fetched 40 or 50 guineas *per dozen* bottles. The simple man regarded this as ample evidence of the happiness of the people of that country; and opened his eyes with astonishment when I told him that it furnished *me* with irrefragable proof of their misery! How so?—because the person who paid such a price for it, must have drawn heavily upon the productive labor

of others to support such extravagance.—If he himself had *earned* the money, except by fat jobbing or fortunate speculation, he never would have spent it at that rate: and it was easy to shew that the ability of one man to indulge himself thus, must be purchased at the cost of severe poverty to many, &c. &c. Thus it may be in regard to a treasury report; and the statement above alluded to, gives us no item to shew the prosperity of our nation, except in the receipts on account of the public lands, and by demonstrating that the merchants have, so far, been able pretty generally to meet their engagements to government.

But the "prosperous" state of the finances of the governments of England and of the United States, grow out of different causes. The first is prosperous, because government is expert in drawing almost its last penny from *domestic industry*; the second is so, because our policy has prostrated *domestic industry*. England, depends chiefly on the labor of her people for a revenue; whereas we derive ours from duties paid by ourselves on articles produced by others, though we have hands enough idle to make them at home. Now, it will immediately occur to you, that if the people of England, having the capacity to pay about 300 millions of dollars per annum to government, (which however, takes from them nearly all that their labor is worth) were required to pay only 100 millions,—the other 200 millions remaining with them, would soon restore them to the boasted days of "roast beef," and sturdy independence—and then the *nation* would be prosperous. And with us, if the usual product of our duties on goods imported, say 20 millions, is reduced to 10, it is conclusive evidence that 50 or 60 millions (the cost of the goods necessary to produce so much in duties) is saved to the country—*kept at home*, to quicken the domestic circulation of money and invigorate every branch of industry. If on the contrary, the duties should produce 30 millions, it gives us a like amount of foreign value to act against the home production. These things appear so very plain that it is not necessary to dwell any longer upon them. The Alpha and Omega of a good government should be to keep the laboring capacity of the people subject to it, in the highest state of productiveness; so far as the same is compatible with the health and happiness of the working classes: and every one is more healthy and more happy, when by a reasonable application to business a *profit* is made. Our foreign commerce is prostrated, and all the branches of the arts connected with it are in a desperate condition; indeed, it has become a serious matter of enquiry how to obtain seamen for our little navy, if our commerce shall remain as it is eight or ten years longer. There is very little foreign demand for the products of the agriculture of most of the states—and tens of thousands of persons are wandering to and fro seeking employment and bread. What then are we to do?—turn our attention to *manufactures*, that the labor of the country may not be wasted—though the amount of the public revenue as at present levied, may be materially affected by it, and government be reduced to the necessity of borrowing money or of imposing new taxes, either of which it can easily do.

I feel as if I had yet much to say to you; but, verily, my letter is long enough! My remarks are hasty as well as desultory, intended however, for plain men, and relating to subjects in which every plain man is deeply interested. Accept the assurances of my great respect, and believe me to be

Your sincere friend,

H. NILES.

Patronage!

We all recollect the story which honest *Tom Bowline* told his nephew *Random*, to console the latter in his afflictions, in the hope of being appointed a surgeon's mate in the navy, by the interest of the lieutenant, *after* he himself should have accomplished his own business, which he expected to do as follows: "the beadle of the admiralty," said the tar, "is my good friend; and he and one of the under clerks are sworn brothers; and that clerk has a great deal to say to one of the upper clerks, who is very well known to the under secretary; who, upon his recommendation, I hope, will recommend my affair to the first secretary; and he again will speak to one of the lords in my behalf--so that, you see, I do not want a friend to assist me on an occasion!" *Rad. Random, vol. II. chap. 41.*

The preceding passage was brought to recollection by an anecdote told to the editor some time ago, by a gallant young officer, a lieutenant in the navy, whose lot it had been "to do the state some service."—When on a visit to the seat of government, chiefly to satisfy his curiosity in seeing the place and the people, a petit clerk in one of the departments, with whom he happened to get a slight acquaintance, seriously accosted him one day,—saying, "what do you wish? do you want a ship?—Let me know—I'll get it for you;—I've got good situations for a great many," &c. The officer laughed at the assumption of the thing, little thinking that such a being could have any agency to accomplish what he affected an ability to do. He had not quite so much faith in *patronage* as "*Tom Bowline*."

Missouri—Slave Question.

The grand juries and other public bodies of the territory of Missouri, are loud in their denunciations of the proceedings had at the last session of congress, concerning the admission of slavery into the proposed state. We give the following as a specimen of the manner in which their opposition is manifested.

Presentment, circuit court, July term, 1819.

The grand jurors for the body of the county of *Montgomery* in the Missouri territory, feel it their duty, as well as privilege to express their sentiments on such public matters as may vitally concern the interests of this territory. It is with extreme pain they view the proceedings of a majority of the house of representatives of the congress of the United States at the last session.

They view the restrictions attempted to be imposed on the people of the Missouri territory in the formation of a state constitution, unlawful, unconstitutional, and oppressive. They cannot admit the right of any power whatever to impose restrictions on them in the form or substance of a state constitution.

They view the restrictions attempted to be imposed on them with more feeling because they are calculated to estrange the people west of the Mississippi from our eastern brethren; an event which they think of much more importance, than all the benefits which could flow to any portion of the human family, if the congressional restrictions should succeed.

They hope those restrictions will never more be attempted; and if they should, they hope by the assistance of the genius of '76; and the interposition of Divine Providence, to find means to protect their rights.

signed by the grand jury.

<i>James Talbot,</i> foreman,	<i>David Bryan,</i>
<i>John Ferguson,</i>	<i>James Porman,</i>
<i>Nathan Browning,</i>	<i>Huston Reynolds,</i>
<i>John Merchant,</i>	<i>Reuben Rider,</i>
<i>Benjamin James,</i>	<i>William T. Lammie,</i>
<i>Micajah Owzley,</i>	<i>Jeremiah H. Niell,</i>
<i>Andrew Cochran,</i>	<i>Henry Brion,</i>
<i>Frazer Ward,</i>	<i>Joshua Stogsdill,</i>
<i>Dugliss Wyatt,</i>	<i>Robert Johnston,</i>
<i>William Hancock,</i>	<i>Jesse Summers.</i>

A copy from the record.

Test, BENJAMIN SHARP, c^lk.

And, at a meeting of the people of the town and county of St. Genevieve, among others, the following resolution was passed—

Resolved, That the people of Missouri territory are under no obligation whatever to follow the dictates of congress in the adoption of their state constitution; provided, that constitution be a republican one.

If the people of Missouri are contending for the abstract question, as to their right to admit slavery, if they please, there is no one, we presume, that would refuse to listen patiently to a discussion of the merits of the question: but if they are thus operated upon from a desire to hold slaves; to extend this cursed blot on our country over the immense bounds west of the Mississippi, and give an almost boundless expanse to the anti-republican principles which belong to it, and thereby render more and more difficult any plan which a more enlightened posterity may devise to obliterate this stain on the nation—it is impossible that any humane man can wish success to their efforts. And besides, in our opinion, there is no measure which can possibly be adopted that would operate so severely against the prosperity of the Missouri country, as this which the people seem so anxious for. The emigration of the really useful classes of men who form the bone and sinew of every state, would be continually kept in check by it.

Death of commodore Perry.

By the arrival of the U. S. corvette *John Adams*, lieut. com. *Claxton*, at Norfolk, we have the melancholy intelligence of the death of the hero of *Eric*, com. *O. H. Perry*. He died at Port Spain, in the island of Trinidad, of yellow fever, contracted at Angostura, at the moment of his arrival at the former. Two able physicians were with him all the time of his illness, and all was done that could be done to save his valuable life. He was duly sensible of his approaching dissolution, and died with calmness, resignation and fortitude.

The funeral was splendid and imposing. The governor of Trinidad, the generous sir *Ralph Woodford*, gave every possible honor to the remains of *Perry* that he could bestow. The whole garrison was turned out on the occasion, the civil authorities joined the procession, and the people of the island decorously and most respectfully assisted in the ceremonies of depositing his body in its kindred earth. The officers of the *John Adams* and U. S. schooner *Nonsuch* were the mourners on the occasion, and the seamen of these vessels had the melancholy pleasure of attending their late commander to the "narrow house." The body was landed from the *John Adams* under a salute of minie guns from that ship, and when it reached the shore, the fort of St. Andrew continued the ceremony until the long procession, accompanied by the band of the 3rd West

India regiment, playing the dead march in Saul, reached the burying ground.

It appears, two days before he left Angostura, a splendid public dinner was given to him and his officers. The fatigue of this ceremony, very probably, being predisposed to the disorder, may have brought on the disease that deprived us of him.

The following was the order of the procession at his funeral—

The chief of police, and his deputy,
The 3d West India regiment, with arms reversed,
the officers with white
scarfs and hat bands.

The band of the regiment, playing the dead march
in Saul.

The commandant of the garrison and his staff, with
scarfs and hat-bands.

Two Alcaldes de Barrios.

THE CORPSE.

Six officers on horseback, as bearers.

CHIEF MOURNERS.

The officers of the John Adams and Nonsuch,
two and two

A great number of the respectable Inhabitants, as
mourners, two and two.

One hundred and twenty men of the crews of the
John Adams and Nonsuch,
two and two

Three volleys of musketry were fired over the
grave.

After the funeral the following card was published
by our officers—

"The officers of the United States' vessels *John Adams* and *Nonsuch*, tender their grateful acknowledgments to the inhabitants of Port of Spain, for their kind and respectful attention to the funeral rites bestowed on the body of their late commander, commodore PERRY. The disposition manifested by all classes was highly in unison with their feelings, and merits their warmest thanks."

The *Nonsuch* lost, whilst at Angostura, midshipman Depeyster and 4 men, viz: Daniel Bellentine, John Harrison, Leighton Wood and Antonia Flores, of yellow fever, with which a majority of her officers and crew suffered most severely.

(CIRCULAR)---Navy department, Sept. 27th, 1819.

SIR—The melancholy event of the death of commodore O. H. Perry, at Port Spain, Trinidad, on the 23d August last, is announced to this department by the return of the U. S. ship *John Adams*.

You are hereby directed to pay the usual tribute of respect to the memory of this gallant officer, by hoisting the flags under your command at half mast, and firing thirteen minute guns at 12 meridian. All the naval officers under your command will wear crape on the left arm during thirty days.

I am, very respectfully, your ob't servant.

By order of the secretary of the navy,
BENJAMIN HOMANS.

Capt, CHAS. G. RIDGELY.
Commanding naval officer, Baltimore.

The naval officers on this station are directed in compliance with the above order, to wear crape on the left arm for thirty days.

CH. G. RIDGELY,
com. naval officer.

Baltimore, Sept. 28, 1819.

The flags of the shipping in the harbor of Baltimore, and at the observatory, were displayed at half-mast on Thursday last, as a mark of respect to the late com. Perry.

Head quarters—4th military department
Baltimore, Sept. 28, 1819.

Department orders.—As a tribute of respect to the memory of the late commodore Perry, of the navy, 21 minute guns will be fired at every post in the department, on the 30th inst, at 12 o'clock, and the flags displayed at half mast during the day.

By order of colonel Mitchell,

G. DEARBORN,
Adjt. &c. 4th M. D.

Com. Perry was about 34 years of age. He was the son of C. R. Perry, esq. formerly of the U. S. navy, and born in Rhode Island. He has left a wife and four small children. The *Washington City Gazette* says—"He entered the service in 1798, as a midshipman, on board the sloop of war *General Greene*, which, at that time, was commanded by his father. During the war with Tripoli he served in the Mediterranean squadron. In 1810 he was lieutenant commandant of the schooner *Revenge*. In 1812 he commanded the flotilla of gun boats stationed in the harbor of New York, with the rank of master and commander. In 1813, he directed, in chief, the operations of the American squadron on lake Eric; and, on the 10th of September, in that year, gained the memorable naval victory, which rendered his name imperishable.

"During the summer of the present year commodore Perry was selected by government for an active command in the American seas. There is reason to believe that, at the time of his death, the object of his cruise had not been completed.* That object, as we have heard it suggested, was one which required great delicacy as well as vigor in the execution; for, as has been supposed, it combined a clearing of the neighboring seas of pirates, with a due respect for vessels of war acting *bona fide* under the patriot flags. The last employment of this gallant officer, therefore, was a high compliment to the discriminating powers of his mind as well as to his professional skill and courage."

Mediterranean Squadron.

FROM THE NORFOLK HERALD.

From a source that may be relied on, we have received the following statement of facts relative to the late unhappy misunderstanding among the principal officers of our Mediterranean squadron—

"By virtue of a warrant issued by commodore Stewart, commander in chief, &c. a court martial, composed of the following officers, viz:—

Capt. McDonough, president,

—Ballard

—Nicholson

Lt. Gallagher

—Page,

} members,

Benj. F. Bourne, judge advocate,

convened on board the frigate *Guerriere*, on the —day of—, for the trial of—, a marine, charged with having stabbed a man belonging to the *Franklin*.

"The court, pursuant to order, continued the proceedings on board the *Guerriere*, until the evidence was closed and sentence passed, when it adjourned to meet at Naples, the next day, in

*Another account says that he had adjusted his business satisfactorily with the government of Venezuela, which was probably only a small part of what it was designed he should do, as the Constellation frigate was to have joined him.

consequence of the indisposition of the judge advocate, where having revised and signed the record, the court then adjourned "without a day."

"The proceedings and sentence being sent to the commander in chief for his approbation, (as the law requires) were by him declared illegal and of no effect—*first*, because the court had been held on shore, in disobedience of his order requiring it to be held on board of the *Guerriere*; and *secondly*, that it had been held where the United States had no jurisdiction—consequently, having no jurisdiction there over the offence charged against the prisoner, he was ordered to be discharged from arrest, and the proceedings against him annulled.

"The commander in chief revived the court by signal to receive this communication, to which by way of remark he added, that "satisfied these irregularities on the part of the court had proceeded from inadvertence, he should not further notice them at that time, but trusted that in any future proceedings they would be more observant of the laws and regulations provided in such cases, that culprits deserving punishment should not escape to the prejudice of the service"—or words to that effect.

"The commodore considers the court to have then dissolved, although he made no order to that effect, as is customary.

"The court were of opinion that this communication of the commodore should form part of their record, and as he had not returned it to them, they requested it of him for that purpose, which was complied with—and the court were further of opinion, that the language used by the commodore in his communication was a *censure* upon their proceedings—an unjustifiable interference with the solemn deliberations of the court, who, as a *body*, were perfectly independent of his control, and without the pale of his reproof.—Not having been dissolved by the commodore's order, the court still considered itself in existence, and resolved to convene again to vindicate its honor and dignity against the imputations of the commander in chief.—The court did meet, and a resolution was unanimously passed to that effect, but the squadron being ordered to sail, nothing further was done until its arrival at Gibraltar, when the court was convened by signal from the *president* to act upon the resolution, which was accordingly done—when it was sent to the commodore.

"He (the commodore) considers this act of the members of the court as declared in language highly disrespectful to him as their superior officer—insulting to his rank and authority, and subversive of his power—that the court was no longer in being, he having, as he had an undoubted right to do, annulled its proceedings and discharged the prisoner. That a signal made (while he was present) ordering the court, was a contempt of his power, and the meeting of the officers for that object, an usurpation of authority to erect themselves into a tribunal contrary to law, and for no other purpose than to bring him into contempt and to violate the fundamental rules enacted for the subordination and discipline of the service."

"The members of the court disavow such an intention, and offer their tribute of respect to the person and character of the commander in chief, but sustain the opinion of their *corporate* rights and the resolution founded thereon. The commander in chief declares the meeting to have been unlawful, the language disrespectful and insulting, suspends the officers from command, and prefers his charges, &c."

The Missouri River.

FROM THE ST. LOUIS ENQUIRER.

Rise and fall of the Missouri river at camp Belle Fontaine, in the year 1805. From the daily report of the officer of the guard, under the orders of general (then col.) Bissel, commanding the post.—Belle-Fontaine is four miles from the mouth of the Missouri.

	RISE. Feet. In.	FALL. Feet. In.
February 6th to 23d	9 4	
24th to March 5th		1 10
March 6th to 15th	4 6	
16th to 30th		3 1
31st to April 2d	1 10	
April 3d to 8th		1 7
9th to 14th	2 6	
15th to 30th		2
May 1st to 14th		1 5
15th to 17th	4	
18th and 19th		4
20th to 22d	2 2	
23d to 25th		1 3
26th to 28th	6	
29th to 30th		4
June 1st to 3d	1 8	
4th to 7th		1 8
8th to 16th	11 2	
17th to July 2d		7 5
July 3d to 11th	3 7	
12th to 20th		2 1
21st to 31st	1 6	
August 1st to 12th		2 3
13th to 17th	5 1	
Total rise from Feb. 6 to Aug. 17,	47 10	25 3
Fall during the same time,	25 3	
Nett gain,	22 7	

From the 17th Aug. the river subsided till the 19th Dec. when it closed over with ice.

The rise of the Missouri is periodical, and may be counted upon annually with sufficient certainty for all practical purposes.

The causes of its rise are permanent and uniform. They depend upon the melting of the snows upon the different tributary streams, which, from their geographical positions, are bound by the laws of nature to bring down their tributes at successive periods from early in the spring till late in the summer.

These tributaries are—

1. *The Great Osage*—entering the Missouri 133 miles from its mouth, in north lat. 38, 22. Its sources in latitude 35, 36 and 37. 600 miles in length and 397 yards wide at its mouth.

2. *The Kansas*—entering the Missouri 300 miles from its mouth, in lat. 39 5. 1200 miles in length, its sources between parallels 38 and 40.

3. *The Platte*—joining the Missouri 600 miles from its mouth in lat. 41. 2000 miles in length; its sources in the Rocky mountains between parallels 41 and 42.

4. *The Yellowstone*—entering the Missouri 1800 miles above its mouth, in lat. 48; about 1100 miles long; its sources in the Rocky mountains between the latitudes 42 and 44.

5. *The rivers* which issue directly from the Rocky mountains between the latitudes 44 and 49, and unite their streams above the falls of the Missouri, from 2500 to 3000 miles above its mouth. The principal of these rivers are, Gallatin's, Madison's, Jefferson's, Medicine, and Maria.

(About thirty rivers, from 100 to 500 miles in length, also join the Missouri between its mouth and the Rocky mountains, but are not of sufficient consequence to be named individually among its tributaries.)

It is evident the snow will melt at very different periods on the heads of these different rivers. On the Osage in February and March; on Jefferson's and Maria, in June and July.

Lewis and Clarke found snow twelve feet deep on the mountains at the head of Jefferson river in the first week in June; and waited two weeks for it to melt before they could cross.

In the latter part of June all the rivers issuing from the Rocky mountains, between latitudes 44 and 49, are flooded by the melted snows; and bringing down their tributaries during the months of July and August, give the last swell to the Missouri and Mississippi, the exhibit the longest and finest line of river navigation upon the face of the globe.

Literary.

To the editor of the Albany Register.

SIR,—In a late number of your paper some remarks were made in answer to an article in "Niles' Register" on the study of the Latin and Greek classics. Numerous avocations have prevented me till now, from proceeding in my observations. An attempt was made to answer the first objection commonly brought against the study of ancient literature, which is that it has an anti-christian influence. I shall now consider a second objection, viz. that pursuits of this kind have an *immoral tendency*.

An argument drawn from experience might be sufficient to refute this charge. A very large proportion of the most profound classical scholars have been remarkable not only for their strict morality, but likewise for their piety. Who ever drank deeper at the fountains of ancient learning than Milton? He was as well acquainted with the system of heathen mythology as with the doctrines of christianity—as familiar with Plato as with Paul. Yet he was neither immoral, nor irreligious. Much as he loved to climb the steep of Parnassus and to linger upon the banks of the Ilissus, he never forgot

"Sion hill,

— and Siloa's brook that flowed
Fast by the oracle of God."

The reading of a portion of the holy scriptures in their original tongue preceded the ordinary pursuits of the day. His life was regular, and his habits temperate, sober, and religious. But Milton is only one of ten thousand, whose elevated characters might be cited to refute this charge. The two greatest moralists in the English language, Addison and Johnson, were eminent for their classical attainments, and even borrowed the texts of their moral essays from the Greek and Roman poets. Their lives were regulated by the precepts which they inculcated upon others, and furnish a happy illustration of their codes of morality. No one will doubt the morality and piety of Cowper in the latter part of his life. He is emphatically styled the *religious poet*; and his claim to that appellation has never been disputed. Yet hear what he says of Homer, the prince of epic song, and the father of Grecian poets:

"He (Homer) has been the wonder of all countries that his work have ever reached, even deified by the greatest names of antiquity, and in some places actually worshipped. And to say truth, were it possible, that mere man could entitle himself by pre-eminence of any kind to divine honors, Homer's

astonishing powers seem to have given him the best pretensions."

Again: "And now I have only to regret, that my pleasant work is ended. To the illustrious Greek I own the smooth and easy flight of many thousand hours. He has been my companion at home and abroad; in the study, in the garden, and in the field; and no measure of success, let my labors be received as they may, will ever compensate to me the loss of the innocent luxury that I have enjoyed as a translator of Homer." *Preface to the Trans. Homer*, pp. 15 and 16.

To these illustrious examples may be added the great body of the clergy both in our own and other countries.—Instances from this class of men have not been adduced because they are innumerable, and would be less striking than those drawn from men engaged in secular pursuits.

It cannot be denied but the Latin and Greek classics contain *some* "fictitious, frivolous, and obscene stories;" but not in the degree contended for by "a friend to literature." These are mere blemishes, attributable to the manners of the times in which the works were written, and would by no means justify an exclusion of them from the shelves of our libraries. Revolutions in taste and language are sufficient to account for these blots, without attributing them to vice or intentional obscenity. Many passages in the version of the scriptures now in use appear obscene to us, which did not appear so to the translators. Juvenal is perhaps the most obscene of all the ancient writers; yet he found the course and strong language which he uses, necessary in lashing the crimes and vices of his age; and he is no more censurable for employing suitable terms than was St. Paul in speaking of the same people. Both felt themselves bound to drag vice and corruption from their lurking places, and hold them up to public scorn.

There is another species of obscenity in some of the ancient writers by no means justifiable, since it arose from licentiousness of character. Specimens of this are to be found in part of the writings of Horace and Ovid. But the former, if not the latter, repented of the vices and follies of his youth, and neutralized the demoralizing tendency of his early productions by the elevated tone of his subsequent writings; in his epistle he speaks of his own licentiousness with as much regret and sorrow as does Solomon himself. The criminality of sensual pleasures, the folly of splendor and luxury, and indeed the vanity of all human pursuits, are depicted in strong and appropriate colors.

It will be found, I believe, on examination, that the writings of the ancients are as free from licentiousness as are either the French or English classics. The pages of Virgil are as pure as those of Milton, Addison, and Thompson, who copied him. The writings of Horace and Juvenal will not suffer by a comparison with the works of Dryden, Pope, Swift and Sterne, although the two latter were ministers of the christian religion. All our dramatic compositions, from Shakspeare downward, are less elevated than the plays of the Greeks and Romans. Can a parallel for the polished and fascinating licentiousness of Moore be found in his favorite Anacreon or Ovid? Hume and Gibbon, our two greatest historians, do not hold up for imitation a higher standard of morals, than Thucydides and Xenophon, Livy and Tacitus. The writings of Cicero are as elevated in character as those of Burke, and far less dangerous than the sceptical essays of Hume, or the popular tales of Smollet.

Aware of the result of such a comparison, the

Rev. Doctor Dana, of Newburyport, in a discourse before a branch of one of the first literary societies in this country, lately undertook to improve upon Mr. Foster's essay, and extend the roll of proscription to a great proportion of our English classics. Dryden, Pope, Swift, Sterne, Hume, Gibbon, Burns and many others were denounced as immoral and dangerous. This proscription is certainly as just and rational as the one which has been undertaken by "a friend to literature" in the same state; and their schemes will probably be realized about the same time.

It would afford me great pleasure to inspect his library, and see how he has contrived to make a selection which does not contain some books of an immoral tendency, if all the sentiments they inculcate should be adopted and reduced to practice.

ANOTHER FRIEND TO LITERATURE.

Law Intelligence.

FROM THE PHILADELPHIA UNION.

The following decree, by the hon. Richard Peters, judge of the district court of the United States for this district, will be read with great interest and satisfaction by every one who detests the practices it condemns, and is desirous that our country shall stand forth in opposition to the piracies and atrocities by which the ocean has been ravaged under the assumed flag of the South American patriots. If the vessels, captured under this guise, and the piratical vessels themselves, could be brought under the tribunal of our vigorous and virtuous judiciary, and foreign nations shall know, that it will condemn all who, under any pretence, violate the laws of nations, they will acquit the American character of every imputation of sanctioning the acts of the desperadoes that have sallied from the ports of this nation.

The principles upon which this decision is founded, are those which will, no doubt, be recognized and admitted in all the courts of the United States.

B. Ranguenot, consul of his Catholic majesty Ferdinand VII. on behalf of the Spanish owners,

In the district court of U. S. for the eastern district of Penn.

The brigantine *Fortuna* and cargo.
DECREE.

The brigantine *Fortuna*, belonging to Spanish subjects in amity with the United States, with a Spanish cargo, on her lawful voyage from Havana to Cadiz, was captured on the 10th day of April last, off Cape St. Vincent's, and forcibly taken from the possession of her commander, captain Gaona, by an armed vessel, said to be a privateer, called the *Julia de Forest*, commanded by a capt. Wilson, a Scotchman, and sailing under a real or pretended flag, called that of the republic of Buenos Ayres, one of the Spanish revolted provinces of South America. A first and second prize-master and crew were put on board, and the Spanish boatswain, or cargo master, and the cook, were suffered to remain on board the brig. The *Fortuna* was ordered for the island of Margaretta, and when arrived off the coast of that island, the second prize-master, or mate, named Henry Davis, a citizen of the U. States, with those called the prize crew, revolted, and confined Edw'd Burk, the alleged first prize-master, also a citizen of the United States. The destination of the captured vessel was changed, and after various ineffectual attempts to reach some of the Windward Islands, she was navigated to the coast of North America, *to wit*, the United States, with design to tranship the cargo into a vessel of the United States, for the purpose of smuggling the cargo into some port or place in

the United States. But owing to circumstances detailed in the depositions taken, and filed in this cause, the *Fortuna* was brought into the port of Philadelphia, and libelled by the Spanish consul on behalf of the Spanish owners, for restoration to them; under the allegations of the capture being piratically and unlawfully made by unauthorised captors, and that the capturing vessel, be the fact of legal authority, otherwise, what it may, was fitted and furnished within the limits of the United States, *to wit*, at Baltimore, in the district of Maryland. It is also propounded, that the alleged second prize-master and the crew on board the *Fortuna*, after her capture, revolting, as before stated, are peculiarly to be considered as pirates, and amenable to punishment as such, under the law of nations, agreeably to a late act of the congress of the United States.

It appears clearly to me, that the *Julia de Forest*, had arrived, armed and manned from a cruise in the port of Baltimore, where she discharged her men and lay for a considerable time. She there prepared for another cruise, and shipped, under new articles, a set of hands, to the number of 89 or 90 and some officers, among whom were Burk and Davis. Among those hands or crew were a considerable number of American citizens, and so far as it appears, few or none of the new crew were among those who had arrived with the *Julia de Forest* at Baltimore. Whether she added or not to her armament, does not clearly appear. But it is in proof, that she there shipped men, who were resident American citizens, and took in water and provisions for a five months cruise.

Independently of other allegations in the libel, I consider this latter circumstance sufficient to authorise a court of the United States to declare the capture illegal, as it regards the laws of the United States. And the *Fortuna* having been brought within the jurisdiction of this court, I am warranted in restoring the vessel and cargo to the Spanish owners thereof.

The law on this subject is now so clearly settled by the decisions of our courts, both original and supreme, that it is unnecessary to cite many authorities or enter into minute discussion on the legal branch of the case.* The outfit and furnishing in a port of the U. States, render all acts of hostility and depredation on the property of subjects of a power in amity, committed by an armed vessel, thus fitted and furnished, violations of the neutrality of the U. States, and unlawful as it regards the laws of the U. States and the laws of nations recognized therein.

It is a disgrace to the character of American citizens, thus to prostitute themselves in nefarious acts of robbery and plunder, under the mask of assisting the Spanish patriots of South America, as those are termed whose cause many of our deluded or vitiated citizens affect to espouse; when in fact they are pursuing selfish and sordid objects, for their private emolument. Such base and hypocritical depravity, gives to those who envy our national character and unexampled success in our republican and highly estimable form of government, the opportunity of uncandidly generalizing the foul propensities of culpable individuals, into stains on our national reputation: although those who are guilty of such unworthy and base crimes and misdemeanors, are, as in all civilized nations they should be, subjected to punishment by our laws, (which if defective in a case will no doubt be made more perfect,) and are held in merited detestation by the

*9. Cranch. 365. 1st Wheaton, 233.

3d. Dallas, 133, 169.

great body of our citizens. It is the duty of those to whom the execution of our laws is committed, to correct these abuses, by punishing the perpetrators, and rendering their enormities unprofitable to them, by restoring their plunder to those who have suffered by their depredations. Such unwarrantable misbehaviour becomes unsatiable and boundless, and spreads itself in its flagitious and indiscriminate career, into acts of piracy, murder, and robbery committed on the persons and property even of our own citizens, as well as of those of all countries who navigate the seas, emphatically styled the high road of nations.

The Buenos Ayres flag, or even the flag or commission of a nation acknowledged by our government to be sovereign and independent, would not justify to our laws, any acts of capture or depredation committed on the high seas, by an armed vessel fitted and furnished in any of our ports either wholly or partially, on the property or persons of the subjects of a power in amity with us. Such fitting and furnishing, would be a breach of our laws, even if the whole of the officers and crew were subjects of a foreign nation, originally belonging to, and arriving in the vessel thus furnished, equipped or fitted. But it is highly criminal in our citizens to engage on board such vessel, or otherwise to commit hostilities against a friendly power under any pretext. Whatever may be the wishes of private citizens, they must await the determination of our constituted authorities. It has been well observed, that it would be a solecism in a government at peace, to permit citizens, or any of them, to wage war, and especially against a nation in amity. The engagement of men who are transient, if of the same nation with those of the armed ship arriving in our ports, has been by some of our laws permitted; but the enlistment or shipping citizens of the U. States, for warfare against a nation in amity, is unwarrantable and illegal in every point of view: nor, indeed, can an armed foreign belligerent ship, lawfully increase the number of her equipage, with men of any nation or country, in our ports, for hostile purposes against those with whom we are at peace. Much less is it legal or justifiable, to fit or furnish the vessel, or engage a whole crew, for a new cruise for such purposes, in any of our ports, as appears to have been the case with the *Julia de Forest*, of Baltimore.

I therefore adjudge, order and decree, that the brigantine *Fortuna*, her tackle, apparel and furniture, and the cargo wherewith she was laden, (or the proceeds of any part thereof directed to be sold by an interlocutory order of this court,) at the time of her arrival in the port of Philadelphia, except such part, or the proceeds thereof, as I shall direct to be paid as salvage to those rightfully entitled thereto, be restored to the Spanish owner or owners thereof, or to the person or persons lawfully authorised on his or their behalf to receive the same, on payment of all costs and charges legally accruing in this suit, or in any wise lawfully incurred in relation thereto.

(Signed,) RICHARD PETERS.

Aug. 27th, 1819.

English Ministry.

FROM THE BOSTON INTELLIGENCER.

Some alterations having taken place in the several offices composing what is called the ministry of the united kingdom of Great Britain and Ireland, as well as certain changes among the persons of the ministers themselves, occasioned by death, resign-

nation, or otherwise,* it may perhaps be a satisfaction to our readers of European intelligence, to receive a few explanations relating to this subject.

Formerly the cabinet ministers consisted of *thirteen* members, and the ministers not of the cabinet composed also the same number. The cabinet now contains *fourteen* persons, and the other ministers are only twelve, whilst the offices which they fill are variously modified and changed.

Until lately neither the treasurer of the navy, nor the president of the board of trade were of the cabinet: the offices are now both united in *one person*, who is a cabinet minister. Of the offices lately filled by ministers, *not of the cabinet*, four are taken away—two secretaries of the treasury, the master of the rolls, and one of the paymasters of the forces. To the same body are added the five offices of lord steward, lord chamberlain, master of the horse, lieutenant general of the ordnance, and first commissioner of land revenue.

The following is the list as it stood at the opening of the present parliament:

Cabinet ministers.

Earl of Liverpool, first lord of the treasury.
Lord Eldon, lord chancellor.
Earl of Westmoreland, lord privy seal.
Earl of Harrowby, president of the council.
Viscount Sidmouth, secretary of state for the home department.
Viscount Castlereagh, secretary of state for foreign affairs.
Earl Bathurst, secretary of colonies of war.
Right hon. Nicholas Vansittart, chancellor of the exchequer.
Viscount Melville, first lord of the admiralty.
Earl of Mulgrave, master general of the ordnance.
Right hon. George Canning, president of the board of control.
Right hon. Charles Bathurst, chancellor of the duchy of Lancaster.
Right hon. Wellesley Pole, master of the mint.
Right hon. Frederick John Robinson,* treasurer of the navy and president of the board of trade.

Ministers not of the cabinet.

Marquis of Cholmondeley, lord steward.
Marquis of Hertford, lord chamberlain.
Duke of Montrose, master of the horse.
Viscount Palmerston, secretary at war.
Right hon. Charles Long, paymaster of the forces.†
Right hon. Thomas Wallace,‡ vice president of the board of trade.
Sir Samuel Shepherd, knight, attorney general.
Sir Robert Gifford, knight, solicitor general.
Earl of Chichester, marquis of Salisbury,§ paymasters general.
Sir Hildebrand Oakes, bart. lieutenant general of the ordnance.
Right hon. William Huskisson, first commissioner of land revenue.

Foreign Articles.

GREAT BRITAIN AND IRELAND.

The Manchester meeting, &c.—By another arrival at New York we have London dates of the 19th of

*These offices were formerly held by the late right hon. George Rose, and the earl of Clancarty—respectively.

†The other paymaster of the forces was lord Charles Somerset.

‡The successor of the right hon. F. J. Robinson, promoted to the cabinet. Late solicitor general.

§Instead of the earl of Sandwich.

August, giving a few hours later intelligence from Manchester, &c.

All the roads leading from the town were covered with "wounded stragglers" hobbling to their homes. The amount must have been very great—57 being counted in a short distance on four of the roads, and on one of which a woman had died. No subsequent disturbances had taken place, though a great alarm was excited by a report, publicly proclaimed at the exchange, that an attack was expected from the people.

When Hunt was brought up for examination, the magistrate said to him, "Pray, Mr. Hunt, what did you come here for?"—to which he replied, "Pray, gentlemen, what am I brought here for?" He was remanded, on bail being refused. He was slightly wounded on the back of his right hand in warding off the blows made at him by the gallant soldiery. The ministry will make a very important man out of Mr. Hunt.

A constable at Manchester, treating a poor lame person very ill, was requested by a passer-by not to use the man so cruelly: For this the gentleman was arrested on a charge of creating a riot, and rudely hurried, amidst drawn swords, to prison. But there being known to the magistrates, he was instantly discharged. The neighborhood of the town presented a dreadful spectacle—thousands of people were lying on the fields, overcome with fatigue, or covered with wounds.

The London Courier is lustily proclaiming the danger of government. It says that furious placards have been posted up at sundry places: Among others, the following, at lord Sidmouth's house:

"To arms—revenge the Manchester murders."

A large meeting was expected to be held at Kennington common.

The affair at Manchester has excited much sensation in all parts of England and Ireland, so far as the news of it had reached them at our last dates. The wanton shedding of the blood of peaceable people—the horrid charge of the cavalry on a crowd of innocent men and women, is deprecated in the severest terms; and we trust that there is a spirit to punish the miscreants who sanctioned the outrage.

Previous to the meeting, Mr. Hunt published the following address "to the inhabitants of Manchester and its neighborhood:"

Fellow countrymen.—Our enemies are exulting at the victory they profess to have obtained over us, in consequence of the postponement for a week, of the PUBLIC MEETING intended to have been held on Monday last.

The editor of the London Courier (although he admits that we are only checked, not subdued) appears to be as much rejoiced as if he, and his coadjutors, had for a time escaped unhurt from the effects of an earthquake, or some other great national calamity; his blood-thirsty imitators of the local press of Manchester cannot disguise the fears of their employers, although I am informed that they attempt to do it, by resorting to the most vulgar and impotent abuse. To reply to any of their malignant and contemptible efforts, would only tend to drag them forth, for a moment, from their natural insignificance and obscurity; therefore you will bestow on their petty exertions the most perfect indifference; for as they are beneath your anger, so you will not even suffer them to attract your notice.

You will meet on Monday next, my friends, and by your steady, firm, and temperate deportment, you will convince all your enemies, you feel that you have an important and an imperious public duty to perform, and that you will not suffer any private con-

deration on earth to deter you from exerting every nerve, to carry your praise-worthy and patriotic intentions into effect.

The eyes of all England, nay, of all Europe, are fixed upon you; and every friend of real reform and of rational liberty, is tremblingly alive to the result of your meeting on Monday next.

Our enemies will seek every opportunity, by the means of their sanguinary agents, to excite a riot, that they may have a pretence for spilling our blood, reckless of the awful and certain retaliation that would ultimately fall on their heads.

Every friend of real and effectual reform is offering up to Heaven a devout prayer, that you may follow the example of your brethren of the Metropolis; and by your steady patient, persevering and peaceable conduct on that day, frustrate their hellish and bloody purpose.

Come, then, my friends, to the meeting on Monday, armed with no other weapon but that of a self-approving conscience; determined not to suffer yourselves to be irritated or excited, by any means whatsoever, to commit any breach of the public peace.

Our opponents have not attempted to show that our reasoning is fallacious, or that our conclusions are incorrect, by any other argument but the threat of violence, and to put us down by the force of the sword, bayonet, and the cannon. They assert that your leaders do nothing but mislead and deceive you, although they well know that the eternal principles of truth and justice are too deeply engraven on your hearts; and that you are at length become (fortunately for them) too well acquainted with your own rights, ever again to suffer any man, or any faction, to mislead you.

We hereby invite the Boroughreeve, or any of the nine wise magistrates, who signed the proclamation declaring the meeting to have been held on Monday last illegal, and threatening, at the same time, all those who abstained from going to the said meeting, we invite them to come amongst us on Monday next. If we are wrong, it is their duty as men, as magistrates, and as christians, to endeavor to set us right by argument, by reason, and by the mild and irresistible precepts of persuasive truth; we promise them an attentive hearing, and to abide by the result of conviction alone. But, once for all, we repeat, that we despise their threats, and abhor and detest those who would direct or controul the mind of man by violence or force.

I am, my fellow-countrymen, your sincere and faithful friend,

HENRY HUNT.

Smedley Cottage, Wednesday, Aug. 11, 1819.

From the London Traveller of August 4, 1819.

The Manchester female reformers' address to the wives, mothers, sisters and daughters of the higher and middling classes of society:—

Dear sisters of the earth.—It is with a spirit of peaceful consideration and due respect, that we are induced to address you upon the causes that have compelled us to associate together, and the miserable partners of our woes. Bereft not only of that support the calls of nature require for existence, but the balm of sweet repose has long been a stranger to us. Our minds are filled with horror and despair, fearful, on each returning morning, the light of heaven should present to us the corpse of our famished offspring, or nearest kindred, which the more kind hand of death hath released from the grasp of the oppressor. The Sabbath, which is set apart by the all-wise Creator for a day of rest, we are compelled to employ repairing the tattered garments to cover the nakedness of our forlorn and destitute families. Every succeeding night brings

with it new terrors, so that we are sick of life and weary of a world where poverty, wretchedness, tyranny and injustice have so long been permitted to reign amongst men.

Dear sisters, we feel justified in stating, that under the oppressive system of government that we now live, the same fate that hath overtaken us, must speedily be the lot of many of you, for it is said in the word of God, "Where the carcass is, there will the eagles be also;" and this we have proved to demonstration, that the lazy boroughmongering eagles of destruction have nearly picked bare the bones of those who labor. You may then fairly anticipate that when we are mixed with the silent dust, that you will become the next victims of the voracious borough-tyrants, who will chase you, in your turn, to misery and death, till at length, the middle class of society is swept by their relentless hand from the face of the creation.

From very mature and deliberate consideration, we are thoroughly convinced, that under the present system, the day is now at hand, when nothing will be found in our unhappy country but luxury, idleness, dissipation and tyranny, on the one hand, and abject poverty, slavery, wretchedness, misery, and death, on the other. To avert these dreaded evils, it is your duty now, therefore, to unite with us as speedily as possible, and to exert your influence with your fathers, your husbands, your sons, your relations, and your friends, to join the male union for constitutionally demanding a reform in their own house; viz. the commons house of parliament; for we are now thoroughly convinced, for want of such timely reform, the useful class of society has been reduced to its present degraded state; and but for such reform the English nation would not have been stamped with the disgrace of having engaged in the late unjust, unnecessary, and destructive war against the liberties of France, that closed its dreadful career on the crimson plains of Waterloo, where the blood of our fellow creatures flowed in such mighty profusion, that the fertile earth seemed to blush at the outrage offered to the choicest works of Heaven, and for a space of time was glutted with the polluted draught, till the Almighty, with a frown upon the aggressors, threw a veil over the dismal scene.

Let us now ask ourselves the cause of this dreadful carnage; "was it to gain immortal happiness for all mankind;" or if possible, "was it for another purpose?" Alas! no; the simple story is this, that all this dreadful slaughter was in cool blood, committed for the purpose of placing on the throne of France, contrary to the people's interest and inclination, the present contemptible Louis, a man who had been living for years in this country in idleness, and wandering from one corner of the island to the other, in cowardly and vagabond slothfulness and contempt.

Let it be remembered at the same time, that this war which was to reinstate this man, has tended to raise landed property three-fold above its value, and to load our beloved country with such an insurmountable burthen of taxation, that is too intolerable to endure longer; it has nearly annihilated our own flourishing trade, and is now driving our merchants and manufacturers to poverty and degradation.

We call upon you therefore to join us with heart and hand to exterminate tyranny from the face of our native country.

It affords us pleasure to inform you that numbers of rank have voluntarily mixed with us, who are fully determined, in defiance of the threats of the

boroughmongers, to aid us in our just and constitutional career. Our enemies are resolved upon destroying the last vestige of the natural rights of men, and we are determined to establish them, for as well might they attempt to arrest the sun in the region of space, or stop the diurnal motion of the earth, as to impede the rapid progress of the enlightened friends to liberty and truth. The beams of angelic light that have gone forth through the globe hath at length reached unto men, and we are proud to say, that the *female reformers of Manchester*, have also caught its benign and heavenly influence; it is not possible, therefore, for us to submit to bear the ponderous weight of our chains any longer, but to use our endeavor to tear them asunder and dash them in the face of our remorseless oppressors.

We can bear no longer to see numbers of our parents immured in a workhouse, our fathers separated from our mothers, in direct contradiction to the laws of God and the laws of man; our sons degraded below human nature; our husbands and little ones, clothed in rags, and pining on the face of the earth. Dear sisters, how could you bear to see the infant at the breast, drawing from you the remnant of our last blood instead of the nourishment which nature requires—the only subsistence for yourselves being a draught of cold water? It would be criminal in us to disguise any longer the dreadful truth; for in the midst of these privations, if we were to hold our peace, the very trees of the forest and stones of the valley would justly cry out.

These are a few of the consequences resulting from the mad career of the boroughmongers: war, to say nothing of the thousands and tens of thousands that have been slain, the widows and orphans that have been left destitute and unprotected, the hypocritical hireling will blasphemously tell you, that these things are of Divine ordinance; in vain does he publish this to reason and common sense. The Great Author of Nature makes no distinction of persons; the rich and the poor are all alike to him; and surely the forked lightning, the awful thunder, the terrible earthquakes, and the howling and flaming volcanoes, are sufficient to chastise the most obdurate, without man becoming the oppressor of man. We close the disgusting scene, for language would fall infinitely short in painting the portrait of our woes in all its horrible deformities.

In conclusion, we earnestly entreat you to come forward—posterity will bless the names they see enrolled under the banner of reform. Remember that all good men were reformers in every age of the world. Noah was a reformer; he warned people of their danger, but they paid no attention to him. Lot did in the like manner, but the deluded people laughed him to scorn; the consequence was, they were destroyed. All the prophets were reformers, and also the apostles; so was the great founder of christianity, he was the greatest reformer of all; and if Jesus Christ himself was to come on the earth again and to persist against the church and state in the same manner he did against the Jewish and Heathen nations, his life would assuredly be sacrificed by the relentless hands of the borough Judases; for corruption, tyranny and injustice, have reached their summit, and the bitter cup of oppression is now full to the brim.

By order of the committee,

(Signed) *Susannah Saxton, secretary.*

Union rooms, Manchester, June 20, 1819.

Later:—Liverpool papers of Aug. 27. A cabinet council has been held at London, in consequence of the proceedings at Manchester, &c. The result not known—the general opinion however was

that the act of the magistrates, in ordering the cavalry to ride over the people would be disapproved of.

Hunt, and the men and women arrested, are said to be charged with *high treason*—but there is a report that he had been admitted to bail.

The Manchester massacre is severely deprecated every where; and a party of the people at *drill*, pretty nearly killed a couple of persons that they supposed were spies.

A great meeting, in behalf of the people of the whole empire, was called to be held at London, Aug. 25. The military was held in readiness.

The expected arrival of the princess of Wales has created the utmost confusion in the royal ranks. Among the causes for disorder, it is stated that *her* furniture had been appportioned to the use of the duke of Kent and his wife.

The return of the princess home, however, is said not to be connected with any political views—*she wants money*.

The duke of Wellington's destination is reported to be Carlsbad, where, as our readers are aware, a sort of congress is about to be held. As yet nothing is said of an envoy on the part of France.

During the severe storm of thunder and lightning last week, at Bristol, a mass of caterpillars fell as if from the clouds into a garden there, and were shovelled away by bushels.

In a late debate in the British house of commons, it was stated without contradiction that, since 1817, the benefit of the insolvent laws had been taken to the amount of *fifteen millions pounds sterling*, the dividends on which were not *one farthing in the pound*.

The ribbon weavers of Coventry, lately seized upon certain of their employers, on account of the reduction of their wages, and paraded them through the streets mounted on *Jackasses*—but otherwise did not injure them.

It is reported that the people in the oppressed districts of England, are "playing at soldiers,"—learning to march and wheel. This is *high treason* beyond a doubt.

The cry of "mad dog" is raised at Sheffield, and it was supposed that 1000 of the canine race had been destroyed there—*4s* is given for each one that is killed.

SPAIN.

The Florida treaty had not been ratified on the 6th of August. Its limitation expired on the 26th of that month. We shall soon hear the result of this business.

Nothing further is known of the causes of the arrest of Pizarro and Yrujo. But there are many conjectures about them. The report of the arrest of Don Onis is probably unfounded; indeed, the contrary is positively asserted in our latest accounts.

A letter from Gibraltar, dated July 28, says—"Of the 20,000 men raised in Cadiz for South America, after two years labor, *twenty-five hundred* only have been embarked for Caraccas. The rest will not go, nor is it in power of the government to compel them. The 15,000 who laid down their arms have not been molested. The officers are in confinement in Cadiz, but it is believed that the government is afraid to adopt any rigorous measures against them. They all cry out against O'Donnell as the treacherous instigator of the plot. He has been promoted for his *virtue* from a major to a lieutenant general.

A private letter from Havana states pretty positively that a part of the troops lately arrived there are destined for Florida.

Some accounts from Spain say, that O'Donnell has been ordered forthwith to Madrid; there were surmises that he is likely to be committed to a dungeon by Ferdinand.

A 64 gun ship lately arrived at Cadiz with two millions of dollars.

SWEDEN.

It seems to be an accepted fact, that a good understanding does not exist between the emperor of Russia and king Bernadotte. The latter has asked of the courts of Prussia, Mecklenberg Schwerin and Hesse Cassel, a wife for his son Oscar, and been refused by all.

NAPOLEON BONAPARTE.

The following curious items of supplies, furnished to Longwood, in the month of June, 1818, is copied from a late London paper.

Claret 240 bottles	Champaign 15 bottles
Vin de Grave 60 do.	Constantia 15 do.
Madeira 30 do.	Cape wine 630 do.
Teneriffe 150 do.	Ale and cider 180 do.
And as much draught beer as might have been required.	
Flour 100 barrels	Candles 240 lbs
Rice 150 lbs.	Potatoes 15 bushels
Butter 300 lbs.	Sugar candy 300 lbs.
Cheese 60 lbs.	Coals 144 bushels
Salt 80 lbs.	Beef and veal 1200 lbs.
Vermacelli 45 lbs.	Mutton 1500 lbs.
Maccaroni 45 lbs.	Bread 1800 lbs.
Sallad oil 32 quarts	Eggs 1080
Vinegar 41 bottles	Milk 420 qts.
Lard 60 lbs	Pigeons 30
Pepper 100 lbs	Roasting pigs 4
Mustard 6 bottles	Geese 8
Pickles 5 do	Ducks 16
Olives 12 do	Fowls 240
Hams 12	Black tea 15 lbs.
Tongues 12	Green tea 15 lbs.
Soap 30 lbs	Rum 2 bottles
Wood 20,160 lbs.	Twine 1 lb.

Vegetables, fruit, and fish as much as required, according to the season.

Confectionary of all sorts, liquors and preserves, &c. included only in the daily accounts.

English house of commons. Mr. C. Hutchinson remarked on an item of 500,000*l.* for expense at St. Helena: As this was an expense in which the character of the country was materially involved, he thought it his duty, as a public man, to take this notice of it, especially as there were statements in print regarding the purposes to which that expense was applied, of a most extraordinary and unparalleled description. It was unnecessary for him to say that he alluded to the imprisonment of the late emperor of France, Napoleon Bonaparte. He was not going to impugn the act of parliament, by which that individual had been consigned to his present bondage, though he entertained a strong feeling against the policy which dictated it; yet still it was necessary for him to observe, that, if certain statements which had been circulated in print were true, the character of the nation was ruined forever; it was therefore incumbent on those who managed its affairs, either to prove those statements to be incorrect, or else to give redress to the injuries of which they complained. Surely the ministers of the country had not consented to become the gaolers of Bonaparte, in order to serve the purposes of other countries; and yet, unless they had, he did not know how to reconcile their conduct to the rules of common prudence.

The chancellor of the exchequer said, so little was the executive government inclined to shrink

from the duty imposed upon it, that already was the work of retrenchment commenced, and the commission of enquiry issued. When he said this, he was not sanguine enough to expect that great retrenchments would be made, though he was far from wishing to discourage the house from expecting that some would be made. He should therefore move, for these and other reasons, that the house do now proceed to take the orders of the day into consideration. (*Hear, hear*).

SOUTH AMERICA.

The affairs of the patriots in Venezuela appear very prosperous, and when gen. D'Evereux arrives we may soon expect to hear of the emancipation of the whole country. Gen. Bolivar had seized upon a pass communicating with New Grenada, from which section of the country he looked for great support. He was preparing to march on Santa Fe with 6000 troops, having joined gen. Santander. He had beaten the royalists in Tunja. Barcelona had fallen into their hands, and troops to reinforce them were constantly arriving from England. Gen. Arismendi, the distinguished defender of Margaritta, had lately been tried by a court martial, at Angostura. The result had not transpired.

The new constitution of the republic had been signed at Angostura, and was proclaimed amidst the roar of artillery and the acclamations of the people. Perry was present at the adoption of it.

Manuel de Torres, esq. is appointed *charge des affaires* from the Venezuelan government to ours; to which Dr. Forsythe is reported to have come on a special mission. Paez has obtained another victory over a part of Morillo's army on a branch of the Apure. Gen. Urdantea and col. English are reported to have been very successful, and were in hopes of reducing Cumana. Col. Elson had arrived at Angostura with the residue of his regiment. It is now 700 strong.

The first division of gen. Devereux's legion had arrived at Margaritta—the second was in Barbadoes where they had touched for water, and was liberally treated by lord Chambernere and admiral Campbell. When all arrive, there will be an *Irish* and *English* force of 5000 men, with about 7000 native troops.

CHRONICLE.

The Schuylkill. From the progress of the improvement making on this river, it is said that steam boats will be plying upon it next summer. The plan is to produce still-water by means of dams, which will be ascended by locks.

The Constellation frigate, was just on the start to join com. Perry, when the John Adams returned to Norfolk with an account of his death. It was believed that she would wait for further orders.

Vermont. Mr. Galusha has been re-elected governor of this state, without much opposition. He is an excellent man.

New York canals.—2500 men are said to be at work on these canals. The middle section of the great western canal, it is expected, will be opened for navigation this fall. The northern canal is well advanced.

John Langdon.—The venerable patriot LANGDON, died at Portsmouth, N. H. on the 18th ult. in the 80th year of his age, full of years and full of honors. He was always a whig—a man "without fear or reproach."

Great corn! Fields of corn, containing from four to five hundred acres, and growing from eighteen to twenty-two feet high, are said to be in Alabama.

Treaty of limits—important to Maine. It appears probable that the fort which our government had begun to erect on lake Champlain, falls within the British lines. This is to be regretted; but, if it fairly belongs to them by the treaty, let them have it. If we lose Rouse's Point, it is said we shall receive a compensation in the District of Maine. Our north eastern boundary, it is said, will be many miles further north than has heretofore been supposed. It will extend so far as completely to cut off the communication between the provinces, and will embrace within our limits a considerable French settlement, which has formerly been under the jurisdiction of Canada.—*Portland Argus.*

Distribution of Caloric for July, 1819 and 1818.

	Highest.	Lowest.	Mean for the month.
1819. Washington city	91	69	82.71
Savannah	94	68	78.03
Marietta	88	62	72.25
Chillicothe	89	62	76.53
1818 Savannah	101	72	85.08
Chillicothe	103	63	78.53

Inches.

Rain.—In Savannah, in July, 1819, 11.71
do. do. 1818, 3.21
In Marietta, July, 1819, 3.26

The thermometer for this city was kept in an open passage, with a venetian blind to the south, on the north side of F street. In open air it would probably have been 6 or 7 degrees higher.

General land office, Aug. 19, 1819.

COMPARATIVE DISTRIBUTION OF CALORIC
In July 1819 and 1818.

	1819.			1818.		
	Highest.	Lowest.	Mean for the month.	Highest.	Lowest.	Mean for the month.
Wooster,	86	63	76 83	92	70	77 99
Marietta,	88	62	72 25			
Chillicothe,	94	62	76 58	103	63	78 53
Cincinnati,	91	58	74 12	94	62	78 87
Shawaneetown,	93	69	86 96			
Huntsville,	90	66	80 74	90	71	80 75
Cahawba,	94	74	85 29			
Savannah,	94	68	78 08	101	72	85 88
Mobile,	88	76	80 77			
Monroe, or Onachita,	92	63	79 19			

These ten positions are on an area of about eleven degrees of longitude, and ten of latitude. The gentlemen who keep the meteorologic registers, notice the temperature—the winds—and the weather, in the morning, at 2 P.M. and at evening. Whatever contributes to a correct physical history of the extensive domain of the United States merits attention; and, if these observations be continued for only half a century, they will be of great value. In a short time I shall be able to ascertain the quantity of rain falling monthly at each place of observation. Tho' the United States include no mines of gold or silver, yet, as a theatre for the exhibition of human virtue and happiness, they are of greater intrinsic value than the regions of New Spain, with all their rich mines. The Allegany Ridge is the parent of almost all the rivers and streams which flow between the Atlantic and the Mississippi, the Mexican Gulf and the great northern lakes. While this ridge exists, our labor in the field will be profitable; and freemen, who know that gold follows the plough, will not envy the possessors of Mexico or Peru.

J. M.

General land office, Sept. 6, 1819.

NILES' WEEKLY REGISTER.

NEW SERIES, No. 6—Vol. V.] BALTIMORE, OCTOBER 9, 1819. [No. 6—Vol. XVII. WHOLE No. 422

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

☞ We hope that the memorial to congress, in favor of domestic manufactures, inserted in the present sheet, will be attentively read and duly considered. It is indeed, highly interesting.

HEALTH OF BALTIMORE.

Interments for the week ending yesterday morning, Friday the 8th of October, at sun-rise.

	Malignant diseases.	Other diseases.	Adults.	Children.	Total deaths.
	1819.	1819.	1819.	1819.	1800-1819.
Saturday, Oct. 2,	5	6	6	5	11 15
Sunday,	3	2	2	2	4 17
Monday,	4	7	10	9	8 20
Tuesday,	5	10	2	6	6 12
Wednesday,	6	1	5	2	4 6
Thursday,	7	3	7	4	6 10
Friday,	8	0	7	2	5 7

67 112

By adults is to be understood all persons of, or more than 21 years of age.

☞ Supposed (resident) population, October 8th, 1800—20,000; do. in 1819—60,000.

Further comparative view—whole deaths.

	Hospital.	Fell's Point.	Old-town.	West of the Falls.	Total.
	1800-1819.	1800-1819.	1800-1819.	1800-1819.	1800-1819.
Oct. 2,	3	2	6	5	0 3
3,	1	1	9	1	0 0
4,	4	1	7	9	2 2
5,	2	1	5	6	0 1
6,	2	1	4	1	0 1
7,	4	1	2	6	2 1
8,	2	0	3	1	2 0

112 67

On the 3rd of October 1800, the board of health gave notice that some who had left the city on account of the disease having returned, were taken sick and had died; and advised that absentees should wait for information from the board, when it would be safe to come back, &c.

Aggregate view—from Sept. 1 to 30, inclusive—1819.

New cases of malignant fever reported	640
Deaths of the fever	242
Whole no. interments for the month	485
Deduct—still born	11—474
Average new cases per day	21 1-3
Deaths of the fever, do.	8 1-15
Proportion of deaths by the fever to the total number, nearly as	15 to 29
Proportion of deaths by the fever to the new cases reported, nearly as	15 to 40

For these aggregates we are indebted to the Federal Gazette—and the editor says, they are accurately made out from the returns rendered by the board of health.

But they do not represent a fair comparative view of the disease. There is no doubt but that many have been interred as having died of the disease, who never were reported to have had it. This happened in many ways—some poor creatures never had a physician, though our medical gentlemen, to their high honor let it be recorded, (and especially those resident in the neighborhoods in which the fever

chiefly raged) have uniformly visited and attended all persons that they were called to, whether they expected a pecuniary remuneration or not—and some of them are much out of pocket for such services; and a number no doubt, were reported to the sextons as being deceased by the prevailing disorder who never had it; for it is a general disposition to exaggerate. Except in this last respect, the reports of interments must be deemed correct. There has not been a desire to conceal any thing—and if there had been, it was useless—for the publication of the names of the persons buried would have detected it. From all this we conclude, that the fever has been of a milder character than generally belongs to the disease; or, that our physicians have been very successful in their treatment of it. In the West Indies, it is said, to be considered fortunate if one patient is saved out of three; and in 1793 and 1798 we understand that hardly one third of those who had it in Philadelphia recovered. Some persons have died in Baltimore of the prevailing disease, for whom all that medical skill and affectionate and attentive nursing could do, was done—but our physicians for several weeks have been, and yet are, very confident of a general ability to cure the disease, if applied to in due season, under a careful regard to their prescriptions.

It is not for us to attempt to describe their practice, but a history of the disease and of its treatment, will no doubt be published for the good of society.

Deaths by the fever, for the week ending Oct. 1 53
do. do. do. Oct. 8 28

☞ The board of health of the city of Philadelphia, have extended their non-intercourse proclamation against Baltimore until the 15th of the present month; but have not adopted any measures in consequence of the existence of the disease at New York—where happily, the cases of malignant fever are few, but certainly as dangerous to Philadelphia, the disorder being contagious, as the cases at Baltimore.

This procedure has excited much animation in Baltimore, and seems likely to result in giving birth to the worst feelings that can prevail between the people of the two cities.—They of the latter regard it as inhospitable, illiberal and partial, unnecessary and unjust: and as a measure of retaliation, many have contemplated an association to refuse to receive from Philadelphia (in whose favor there is a very large balance of trade), any article, especially of her manufactures, that can be obtained any where else. Without entering into the merit of these matters we simply state them, with the following as the reasons on which this irritation is founded:—

The progress of the malignant, or yellow fever, this season in Baltimore, has indubitably settled the question as to its non-contagious character. At an early period, several persons doing business on Smith's dock, were taken sick and some of them died—the people left the place, it was purified and they generally returned, and have constantly remained there in good health, until very recently, of which we shall speak below. Then the fever appeared in the most distant part of the Point, and for several weeks had a confined range of less than 400

*On those days six persons more were buried from the "country".

yards square—the people of the unhealthy part of the Point having all their usual communications with those of the healthy parts, without any of the latter receiving the disease from them. After some time, scattering cases occurred on other parts of the Point adjacent to the original seat of the fever, and the malignant atmosphere extended itself further and further, though extraordinary efforts were made to cleanse and purify the district first infected and its neighborhood. But it is hardly four weeks since the Point was generally regarded as unhealthy, and some parts of it have yet escaped the disease.

Alarmed at the danger, and earnestly solicited by the board of health, it is probable that about 5000 persons have left the Point—nearly 1000 have been encamped or sheltered in certain rope-walks, in the eastern part of the city; the rest were chiefly scattered through the most populous parts of Baltimore. The whole number of deaths by the fever in the month of September was 242—of these 60 or 70 were of persons who had removed from the Point to other parts of the city, and not a solitary case of contagion is known to have occurred from them. Five or six persons who had been in infected places, died within the distance of a stone's throw of the editor's dwelling in "Old town"—two of them not more than 20 or 25 yards from his kitchen door; but no one of the numerous families to which they belonged took the disease; nor has an original case happened, to his knowledge, within the eighth of a mile of him, except on the docks alluded to, which are nearly that distance from him.

But the nature of this disorder may best be judged by the following facts: if we assume the population of Baltimore at 60,000, and we presume that it is not less than from 65 to 70,000—the people may be located thus:

1st and 2d wards, or "the Point" -	10,000
3d and 4th wards, or "Old-town" -	10,000
5th to 12th wards, inclusive, or "west of the Falls" -	40,000
	60,000

Very few persons have left the upper part of the 1st and 2d wards on account of the disease—perhaps not one family; but the population of those parts is not heavy, and the houses are scattered. In all the rest of the city the people attend to their business as usual, except on a couple of docks where a few cases appeared ten or twelve days ago, though none are said to have happened in the last week. In the whole circle of his acquaintance, and it is pretty extensive, the editor knows only of three families who have left "Old-town," or the city "west of the Falls," on account of the fever; and these removed from places subject to the bilious and other autumnal diseases adjacent to the water, and in a district of the city imperfectly improved—50,000 persons then remain in Baltimore whose location is as healthy as those of any other city; who receive beds, bedding and persons from the infected parts, and have hourly and *unreserved* communication with persons from those parts, without taking the disease. How then can it be believed to be contagious? It is enough that the poisoned atmosphere is avoided. How can *that* be transported to Philadelphia, seeing that in Baltimore it has not been carried half a mile—not, indeed, one foot, by mortal agency?

Dr. Mackenzie, of the firm of Brown and Mackenzie, one of the oldest, if not the oldest, medical establishments in this city, (and with him every other physician whose practice is not on the Point,

agrees), informed the editor a day or two since, "that they never had as little business to do among the families that they visited, in any season for several years as in the present; though he believed he might say, *that some hundreds of persons remained under their charge, who had hitherto gone to the country, being now prevented by the hardness of the times.*"

What do these things—just as notorious as that the sun shines at noon-day, prove to us? And how can any one, with the force of these facts before him, believe that the prevailing fever can be conveyed to distant places? We see and feel that the disease is *local*; and are assured, as well by the evidence of our own senses as by the testimony of all who ought to know its nature and operation, that it is not contagious; and hence the excitements above spoken of.

District medical and chirurgical society. At a meeting held on Monday, the 4th inst. the following report was received:

The standing committee appointed by the district society to investigate the state of the health of the city,

REPORT:

That no favorable change has taken place in the character of the desolating malady at Fell's Point. Its population is greatly diminished and of course the number of sick persons is reduced, yet the proportion of the infected and the healthy continues to be nearly the same.

Among those who have there fallen victims to the invisible enemy, it becomes our mournful duty to record the name of one of our own members. If bravery amid danger, and attention to the calls of humanity, while death was the threatened forfeit, demand the gratitude of a public body, ours should be rendered to the memory of Dr. John O'Connor.

Four cases of fever, characterized by symptoms of malignancy, have been reported to the board of health during the past week, as having originated west of Jones's Falls. One of these cases occurred in Guilford alley; another on Mc Elderry's wharf; and the two others in the neighborhood of Smith's wharf. From a knowledge of the facts that the health of the greater part of our population continues unaffected—that so few cases of malignant disease have occurred west of the falls, and that the season is far advanced, a hope may be entertained that the fever will not become general in this portion of the city. The committee cannot refrain from expressing their surprise, that several of their fellow citizens have been so incautious as again to venture into those parts of the city, which have been known to be infected, being taught by past experience that the causes of autumnal epidemics, never entirely cease to produce their effects until the approach of hard frost.

They state, with much satisfaction, that the reports which have heretofore been published by the society, have had a beneficial tendency at home and abroad. The alarming accounts freely circulated through the country, with regard to the western section of the city, have been corrected, and many of our citizens, who had fled, have been induced to return to their homes.

Ennalls Martin,
James Page,
P. Macauley,
Ezra Gillingham,
John B. Caldwell.

The above report was adopted and ordered to be printed

ASHTON ALEXANDER, Pres't.
J. B. CALDWELL, Sec'y.

The following letter, signed by six of the physicians of this city who have been most in the habit of attending patients suffering under malignant fever at Fell's Point, was received by the board of health:

TO THE BOARD OF HEALTH.

Gentlemen.—We are of opinion that the reduction of cases and deaths, from the epidemic on Fell's Point, is owing chiefly, if not entirely, to the very small number of inhabitants who have not been infected, and to the mildness of the weather, furnishing less exciting causes of disease, and contributing to the recovery of the sick.

HENRY JOHNSON,
T. L. MURPHY,
W. H. CLENDINEN,
A. CLENDINEN,
NATHL. POTTER,
JOHN OWEN.

October 4th, 1819.

New-York.—Whole number of deaths reported for the week ending on Saturday last, 79; of the malignant fever only two. Among the persons who died, within 24 hours of each other, were two sisters, one aged 110, the other 104.

Natchez. We have had various alarming reports about the yellow fever, at Natchez. Six transient persons were seized with the yellow fever, on the 4th ult.—three of whom were dead on the 8th, another expected to die, and two were recovering.—The alarm was excessive, and nearly the whole population of the place precipitated themselves from their homes—"all business, (says a letter to the editor of the REGISTER) was suspended, and dismay and terror marked almost every countenance." But no new case had been reported to the 9th of the month, and it was found "that in a population of 3000 souls only 12 persons were indisposed in any way." Not a single inhabitant of the place had had the fever. The season was very temperate; on the 8th ult. the thermometer stood at 76, and for the preceding two weeks had not at any time exceeded 90°.

New Orleans.—Extract of a letter dated Sept. 5. "The yellow fever rages here with great violence. I believe it is more malignant than that of 1817. A great proportion of the inhabitants have left the city. We now average about thirty interments per day; but, had we the same influx of strangers and extent of population that we had in 1817, that number would be more than doubled. The disease appears to be general along the Mississippi. The vessels in the harbor suffer most; a few days since a ship left the port with 16 hands, and before she reached the Balize, 11 of them died: there are several vessels now lying at the Balize that have lost the captain and all hands. The garrison at Fort St. Philip, for the first time, feel the effects of this dreadful scourge; many have already died and their sick list is swelled to a fearful amount."

MORE OPPUGNATION!

The *Washington City Gazette*, says—"We are at a loss to know how Mr. Niles, the editor of the "Weekly Register," will settle matters with his friends, the state authorities, in Ohio. Mr. Niles is convinced of the illegality of the institution of the bank of the United States, and is "convinced also "that the decision of the supreme court, in the case "of *McCulloh vs. the state of Maryland*, was wrong;" yet he "regrets this act of Ohio!" Verily, this is finching in the time of need. "Call ye this backing your friends?" After writing them up to the sticking point, suddenly to turn short and censure them!"

An inimitable writer has a whole chapter "to show that a man does not write any the worse upon a subject because he understands it," which I very respectfully recommend to the serious perusal of the editor of the *Washington City Gazette*; and additionally inform him that he may find it in the renowned "*History of Tom Jones*, a foondling," by Fielding. All that I have said on the subject of the bank is on record, and may be easily referred to.—the taxing of this institution by the states, was warmly advocated before the decision of the supreme court on the case, and the opinion of that court has been as severely questioned as we knew how to do it. But—in the REGISTER of 13th of March last, speaking of that decision, we said, "*no alternative*, however, is left to preserve the sovereignty of the states, but by amending the constitution of the United States, and more clearly defining the original intentions of that instrument in several respects, but especially in regard to *incorporations*." See vol. XVI, page 43. If we ever expressed a sentiment, since the decision of the court, at variance with this—we shall be much obliged to Mr. Elliott if he will point it out, that we may apologise for it to a people who respect the majesty of the laws. But—

"His optics must be good, I ween,
"To see what is not to be seen."

The act of Ohio, for taxing the branches of the bank of the United States, was passed before that incorporation was sheltered by the supreme court, and the proceedings of the auditor were purely executive, in obedience to the authority of the state to whom he is responsible.

Banks and Banking.

U. S. bank-proxies. The following is published in the *Franklin Gazette*, as the approved form for constituting proxies, agreeably to the late act of congress for regulating the same.

Know all men by these presents, that citizen of the United States, actually resident therein, the owner of shares in the capital stock of the bank of the United States, and the owner of no other shares in the capital stock of said bank, do hereby constitute and appoint attorney and agent for and in name, as the owner of said specified shares in the capital stock of said bank to vote as proxy, at any election of directors of said bank of the United States, and on any question that may be put at a stated or special meeting of the stockholders of said bank according to the number of votes should be entitled to vote, if then personally present.

In witness whereof, have hereunto day of in the year of our Lord and eight hundred and Sealed and delivered } in the presence of }

citizen of the United States, actually resident therein, do solemnly that

truly, and in good faith the owner of the shares in the capital stock of the bank of the United States, specified in the within power of attorney, and of no other shares; that no other person has any interest in the said shares directly or indirectly, except as stated in the said power; and that no other power has been given to any person, which is now in force, to vote for at any election of directors of the said bank.

Be it known, that on this day of in the year of our Lord one thousand eight hundred

and before me the subscriber personally appeared the aforesaid and in due form of law made that the foregoing by subscribed is true.

In testimony whereof I have hereunto set my hand and seal, the day and year last above written.

Counterfeiters. Gangs of forgerers of bank notes, and specimens of their workmanship, are heard of from so many quarters, that a list of them and their doings would yet perhaps, fill us a page weekly. We are glad however, that the people are awakened, and that the range of depredation is more and more limited. The altered notes are the most difficult to guard against.

Sound doctrine. A Quebec paper, speaking of the bankruptcies of banks and individuals in the United States, observes—

"The great duration of the late war placed the trade and industry of the different trading nations in an unnatural state. Monopolies were in effect established in favor of some. Paper, which can be increased at pleasure if not paid in silver and gold, was substituted for a metallic currency. Things are now returning to their natural state; and the effects are the most severely felt in England and the United States, the countries where those causes have had the greatest operation. Much individual distress must follow, property must change hands; its nominal value must decrease; but the sources of the real wealth of both countries will not be materially affected. These consist in the science, art and industry of their inhabitants, security of property and the accumulation of the real and durable capital of the two countries respectively; not in paper money or fictitious credit; the representatives of value which never had any existence."

Ingenious—shewing how a little money may be made to do a great deal of business: addressed to the editor of the N. Y. Evening Post.

Mr. Editor. You undoubtedly have heard the story of the tavern-keeper buying a punchon of rum, and agreeing with his wife, that if either should drink any, the one that drank it should pay six pence to the other. The wife being in possession of six pence, all the money that they had between them, she immediately took a glass and gave six pence to her husband, which enabled him to take a glass and return the six pence back and forth from the wife to the husband, and from the husband to the wife, until the cask of rum was consumed. When I heard the manœuvring of the metallic funds, in the United States' bank, by the stock-jobbing directors, I thought it very analogous to the six pence and the cask of rum.

Money plenty! We are told that in some parts of the western country, common laborers receive two dollars per day—payable in bank notes—with which, in an adjoining county, the proceeds of a whole week's industry, would not find a man in tobacco! But things have nearly reached their worst, and then—they must mend.

Anecdote. "Are you not ashamed of yourself?" said a lady to a gentleman, in a playful manner.—"Why should I be ashamed of myself?" rejoined the gentleman, "I am not a bank director!"—*America.*

A distant date!—The branch of the bank of Vincennes, at Vevay, severely importuned by men wanting to borrow money, has issued notes at nine months after date!

LAW CASE. From the Cooperstown (N. Y.) Journal.—The following decision was made by the court of common pleas, lately held in, and for the county of Oneida.

Important to merchants.—At the last court of common pleas holden in and for the county of Oneida, which closed its session on the 10th inst. came on to be tried before said court the cause of Peter Magher, vs. the president, directors and company of the bank of Utica. The action was assumed to recover of the defendants the amount of a bank note made in the usual form, and endorsed "O. Seymour." The plaintiff proved the execution of the note, and a demand of payment at the mother bank in Utica. The defendants resisted the recovery upon the ground that the endorsement "O. Seymour;" (by virtue of the statute authorising the bank to establish a branch at Canandaigua) made it payable on demand at their branch at Canandaigua only; but the court decided, that the defendants were responsible to pay the note on a presentation at the mother bank as well as the branch. C. M. Lee, counsel for the plaintiff; D. W. Childs and N. Williams, for defendants.

The North Carolina banks are said to be making efforts to resume specie payments, by drawing in the debts due to them. A great part of the miseries of one of these institutions, is understood to have arisen from their stock notes!—the little bits of paper, that we have said so much about; "promises to pay" as capital stock! The notes of the state bank are only now at seven per cent. discount at our money-shops. They were lately at fifteen.

The Northampton and the North Western banks, of Pennsylvania, are now said not to have stopped payment, as has been reported.

Judges and Legislators. The grand jurors of the city court of Cincinnati have decided, that the law, passed at the last session of the legislature of the state prohibiting the "buying and selling of bank notes at a discount," is altogether unconstitutional, and have refused to notice persons who have violated that law.

Spanish dollars have got up to 2½ per cent. advance in New York.

"Kentucky litter." It is believed unsafe, even in Kentucky, to receive the notes "of more than two or three of the independent banks." Many of them have forfeited their charters, and others are wisely preparing to wind up their affairs. It will require many years of industry and economy to repair the depredations which these institutions have caused in Kentucky—but the severe lesson received, may give future safety to the people. Experience is a dear school.

"Pennsylvania litter." The greater part of this lot has gone or is going. A few, prudently conducted, have maintained an honorable reputation. But the majority appear to have striven only to excel in acts of speculation—by which we mean FRAUD. Take the following as a sample—

The directors of one of these broken banks, privately agreed that after a certain day, known only to themselves, they would refuse to receive the notes of the bank, in payment of debts due to it—which latter were to be transferred for the benefit of the concerned! What remedy is there to the people in a case like this? It is possible that the directors have provided for it, by dividing the capital, if any there was, among themselves—as we are told happened in another state, previous to resigning their office.

Bank of Nashville. There are two parties among the directors of this bank—one for dissolving the institution, the other opposed to it. Nothing decisive has been done in the matter. Its notes are at about 60 per cent. dis. at the brokers' offices in Baltimore.

Shaving—from the Aurora. A merchant was called upon by a broker, who knew him to be in want of money, with an offer of a large sum, for one year, at one and a half per cent. a month, the proceeds to be paid part in money and part in certain bank stock at 5 per cent. or more above the market price. The merchant revolted at the extortionate demand—but being in the hands of the bankers, and not knowing how to raise the money *suavely* in any other way, for the notes were not to be shewn in the market, but to be placed in a private confidential quarter, he was at length compelled to accept the proposition. The notes became due, and were paid, and, monstrous to relate, notwithstanding the precaution used to secret the usurer, he was discovered to be the confidential friend of the plundered merchant, who had been conspired by him upon his financial arrangements, and who knew all about his affairs.

Summary process. We learn by the Charleston Courier, of the 27th ult. that on the preceding Saturday several custom house bonds became due, which were not paid. In such cases, it seems, the usage had been to notify the securities and issue writs against all the parties on the succeeding Thursday. But on this occasion, the writs were served on the same evening—many after night, when security was required, &c. At 10 o'clock on Monday, it appears that judgment was obtained, at the cost of about 80 dollars in expenses and fees. What is complained of is, that the former usage was deviated from without notice of an intended change.

Lost notes. We are informed by the Enquirer, that the city of Richmond, in 1815, issued small paper bills for change, to the amount of \$29,948; of which 8,511 remained out and unrepresented for payment on the 10th of September last, and therefore presumed to be lost or destroyed; of course, so much was apparently gained to the city, the cost of the issue excepted, which was about 1500 dollars. But by the same paper it does not appear that the rate of loss on large bills is near as great in proportion. The old bank of the United States is supposed to have circulated 20 millions of dollars in its bills—[much more than this, considering its reissues]—of which only in the whole 207,210 dollars were out at the last settlement, in March 1819.

The times. The Aurora of the 16th inst. contains, under an anonymous signature, some remarkable instances of what the writer justly styles the odious effects of the banking and usury systems; for example, it is stated that a person near Easton, mortgaged property which cost him 12,500 dollars, for 2,500 dollars, which the mortgagee forced the owner to dispose of at a sheriff's sale, and became the purchaser. Another is the case of a druggist, who had his stock seized for rent, and to raise 400 dollars, the landlord sold what was worth in ordinary times, at wholesale prices, \$2,000, and at retail prices probably \$10,000.

A writer in the Kentucky Gazette, speaking of the pressure of the times, observes—"Slaves which sold some time ago, could command the most ready money, have fallen to an inadequate value. A slave which hires for \$80 or \$100 per annum, may be purchased for 300 or \$400. An house and lot on Limestone street, for which \$15,000 had been offered some time past, sold under the officer's hammer, for \$1,300. An house and lot, which I am informed was bought for \$10,000, after \$6,000 had been paid by the purchaser, was sold under a mortgage for \$1,500, leaving the original purchaser, besides his advances) \$3,509 in debt. A number

of sales, which excited at the same time astonishment and pity, have occurred in this town. Comparisons of local suffering, should not be indulged in, but I am told that Lexington is less afflicted than almost any part of the state."

State of Ohio vs. United States Bank.

The two following articles give a full account of an important proceeding on the part of the state of Ohio, which we briefly noticed in our last.

Private letters to the editor shew that much feeling was excited on this occasion. When it was understood that an injunction was obtained, there was a great deal of exultation on the part of the friends of the bank—"wine was drank freely and mirth abounded"—but a sad reverse happened when the officer had served the process, and taken off all the cash (only \$20,000) that he could find. All parties appear to agree in giving much credit for the manner in which the process was served on behalf of the state—and, as possession is said to be eleven points in the law, one of our correspondents suggests that the plea will stand thus:

"Bank of the United States

vs.
"The state of Ohio, for a tax collected."

But nothing has occurred, since the decision of the supreme court in the case of McCulloch vs the state of Maryland, by which it was determined that the states could not tax the bank of the United States, that involves within it such important political considerations and consequences in this step on the part of Ohio; and every plan that we can think of to adjust the matter, seems to be surrounded with difficulties. The state sovereignties must be maintained as the sheet anchor of our republican systems—yet if a supremacy is not acknowledged in certain cases to belong to the general government, we shall become like a rope of sand. As great doubts have always existed on the power assumed by congress to grant acts of incorporation, and as it is now almost unanimously admitted that if the power legally exists, it is a most dangerous one, we should like to see some mode adopted by which the constitution might be amended in this respect—to declare that the right to incorporate exists or that it does not. But let this be done peaceably. We believe that many aberrations have been made from the principles of the revolution, as understood at the time when our constitution was adopted—but happily, we are not situated like the people of England are; we can effect reformation without revolution; and we know that "truth is a victor without violence."

Those who condemn the act of Ohio, will however find a great excuse for it in a knowledge of the fact, that the branches of the United States bank established in that state, have been exceedingly oppressive to the people; and, as most persons believe, unnecessarily rigid and unaccommodating.

FROM THE CHILLICOTHE SUPPORTER, OF SEPT. 22.

By virtue of a warrant issued by the auditor of state, agreeably to the provisions of an act passed by the legislature of the state of Ohio, at their last session, entitled "An act to levy and collect a tax from all banks and individuals, and companies, and associations of individuals, that may transact business within this state, without being authorised to do so by the laws thereof," Mr. John L. Harper, (to whom the warrant was directed) accompanied by Mr. T. Orr, and Mr. J. McCollister, entered the branch bank of the United States, at this place, on Friday last, and levied on the specie and bank paper in that institution, to the amount of one hundred thousand

dollars, which is the tax assessed on the offices of discount and deposit of the Bank of the U. States, located in this state.

As this transaction may receive from rumor a coloring, and from prejudice, misrepresentation; a brief statement of the facts may be useful in allaying any improper feelings which may have been excited. The auditor of state, feeling himself bound by the law of the state to execute the duty imposed on him, made known his determination to one or two individuals; subsequent to this he received a citation to appear before the circuit court, on Tuesday the 14th inst. as at that time a motion would be made by the bank of the United States to enjoin his proceedings under the law of the state. This citation was enclosed by him to a gentleman of the bar, with a request to him to appear for the state if he should deem it correct. On Tuesday the petition of the bank of the United States was heard by the counsel or solicitors for that institution: the state refused to appear, denying the jurisdiction. The court, after a short deliberation, allowed the injunction, on bonds with security to the amount of \$100,000 being given by the bank. This was entered into. In the mean time, or rather previous to the application in court for an injunction, the auditor had been instructed by his counsel to charge the tax, and issue his warrant, and deliver it to the officer, unless he should be restrained by the injunction. On Tuesday afternoon, the agent of the bank started to Columbus to stay the proceedings of the auditor; but, unfortunately for the bank and the whole community, the counsel had forgotten to have a writ of injunction issued to stay the proceedings. The papers served on the auditor were a copy of a petition, and a subpoena to appear before the circuit court of the United States on the first Monday of January next, at Chillicothe. Previous to the service of these papers, the auditor had charged the tax and made out his warrant. On the service of these papers he enclosed them, together with the warrant, to the secretary of state, then here—requesting him to obtain the written opinions of four or five lawyers on the subject, whether these papers amounted to a notice of an injunction, or operated as an injunction; if they did, to re-enclose to him the warrant and papers, as he would not act in contradiction of that authority; but if, in the opinion of these lawyers, it did not amount to an injunction, then to deliver the warrant to the proper agent and order him to proceed. On consultation and mature deliberation, the lawyers unanimously gave their opinion that the papers amounted to nothing like a bill of injunction, and that he could not be in contempt for acting in contradiction of them. The warrant was then delivered to the officer, with instructions to enter the banking house, demand the payment of the tax, shew his warrant, and, on refusal to pay, to enter the vault and levy on specie and notes to the amount of the tax; to use no violence himself, and if opposed by force, to proceed until expelled from the banking house; and then to complain before a proper authority of the resistance offered. The officer entered, made the demand, shewed his warrant, secured the entrance of the vault, and, on refusal to pay, entered the vault himself, and levied the amount of the tax with a small overplus to correct any mistake which might have been made in counting, which overplus he has offered to refund, but he has been refused admittance in the banking house; he used no force or violence, but conducted himself in an orderly but determined manner. The money has since been conveyed to Columbus, to deliver to the auditor.

This is a plain statement of the facts which occasioned and accompanied this transaction—we forbear making any remarks for the present.

FROM THE OHIO MONITOR, OF SEPT. 25.

By an act of the legislature of this state, passed last session, it was provided that, unless the branches of the United States' bank, located at Cincinnati and Chillicothe, cease their operations by the first of September inst. that a tax of *one hundred thousand dollars* be levied on the bank; and that on the 15th the auditor of the state proceed to charge the said bank with the tax aforesaid, and immediately thereafter to issue his warrant to some person to collect the same.

On the morning of the 15th inst. Ralph Osborne, Esq. auditor of the state, was served with a subpoena, together with a bill in chancery, issued from the United States' circuit court, sitting at Chillicothe, directing him to appear at the next January term of said court, and answer to said bill of complaint, praying that the auditor of the state be enjoined from proceeding under the law of the general assembly of Ohio, passed on the 8th of February, 1819, to "tax the bank of the United States," &c.

On the same day the auditor proceeded to charge the bank with the sum of 100,000 dollars, and made out his warrant, directed to John L. Harper, commanding him to collect the tax of 100,000 dollars of the bank of the United States; 50,000 dollars whereof was charged on the office of Discount and Deposit at Cincinnati, and 50,000 dollars on their said office at Chillicothe.

On the 17th inst. in the time of banking hours, John L. Harper proceeded to the office of the bank at Chillicothe, and demanded of the cashier (the president being present) payment of said tax, which was refused. Upon which, John L. Harper, with two assistants, entered the vaults of the office, and took about 20,000 dollars in specie, and a quantity of bank paper, and withdrew. He then counted of the specie and bank paper a sum of 100,000 dollars, and finding a considerable surplus of bank paper, he returned to said office to restore the overplus; but, not being allowed admittance, he deposited it in the bank of Chillicothe, a few rods east of the U. S. branch bank. During the transaction, the president of the bank read to Mr. Harper the subpoena, which we have before mentioned was served upon the auditor of state, as Mr. Harper believes.

On the next day, as Mr. Harper was on his way to Columbus, he was served with a notice which he supposed to be a writ of injunction, granted upon the bill of complaint filed against the auditor to stay his proceedings; but which Mr. Harper considered not directed to him, and therefore disregarded.—He conveyed the money to the state treasury, where it is now safely lodged.

The same evening, prior to the depositing of the money in the state treasury, the auditor was served with an order from said court, bearing date the 18th September, enjoining him "from charging the said bank on the 15th September, of the present year, and thereafter annually, with the sum of \$50,000 upon each office as aforesaid, and, also, from making out any warrant or appointing any person, or persons, to execute all or either of the provisions of the act of the legislature aforesaid; or from levying and collecting the tax aforesaid; or from paying over, by order or otherwise, any moneys received from said tax, which shall have been or may be collected under said act, into the treasury of the state of Ohio; or from making report of the same to the legislature aforesaid, in his general report of the receipt of taxes, until the hearing of said bill of com-

plaint by said court." But the auditor, not conceiving that the general law, regulating "offices of the treasurer and auditor," or the special provisions of the act levying said tax, gave him any further control over the said money, not being specified in said act to whom the tax should be paid, he gave no directions concerning the disposal of the money. Thus endeth the first act.

The following address of gen. Joseph Kerr, formerly of the senate of the United States, is copied from a Chillicothe paper:

To the electors of Ross county.

Fellow citizens—I had in view an arrangement, which would have put it out of my power to serve you in the next legislature—I have discovered that there will be some difficulty between the state government and the government of the United States, respecting the tax imposed by the last legislature, on the bank of the United States, which has recently been collected off the bank established at this place—I was one of those who advocated the measure, when the law was passed—I still think the measure constitutional and proper, the opinion of the supreme court to the contrary notwithstanding—I have declined the arrangement intended; and now offer you my services, if you should think proper to elect me to the house of representatives.

If difficulties arise out of the measures of the legislature, it becomes the duty of those who were instrumental in producing them, to use their best efforts to produce reconciliation.—I do not mean to succumb to the bank of the United States; nor to oppose, by force, the execution of the laws of the United States; but I wish to see the line of sovereignty made plain, and if the rights of the state are to be encroached upon, that it be from necessity: not to establish a monied aristocracy, administered by swindlers, over whom the state authorities, nor indeed, the authorities of the United States, have no control.

My election, and sentiments, will be opposed by some who, *from the dust they raise*, may be thought to be respectable: when the opposition is made, look at these men and ask, why is it that they are opposed to my election? You will discover the whole of them to be directors of the branch bank; those that are borrowers of it to an amount beyond their command, and who fear a removal of the office will compel payment; unprincipled attorneys, who are *preying* on the industry of the ignorant and unsuspecting of their neighbors; clerks of courts who share in the spoil, and those who have been active in seeking my destruction by every mean artifice in their power; who call me *rascal* and can assign no other reason for so saying, which is founded in truth, than that I have been too vigilant for them to succeed to the extent of their rapacious wishes.

I am, fellow citizens, your friend and servant,

JOSEPH KERR.

Near Chillicothe, 20th Sept. 1819.

National Interests.

Memorial to the senate and house of representatives of the United States, in congress assembled.

The memorial of the subscribers respectfully sheweth, that the policy hitherto pursued in this country, which has exposed most of our manufacturers, whose productions are excluded from nearly all the markets in Europe, to an unavailing struggle with the manufacturers of all that quarter of the

world, and likewise of Hindostan, has been the principal cause of the present calamitous state of affairs; whereby industry, the source and parent of the power, prosperity and happiness of nations, has been paralyzed; the wealth of our country, which ought to invigorate its agriculture, manufactures, trade and commerce, been drained to foster the industry and support the government of foreign nations; a considerable portion of our farmers, manufacturers, merchants and traders, reduced to, and others tottering on the verge of bankruptcy; whereby, in a word, a state of decrepitude and decay has been produced, in the short space of three or four years, of which history affords few examples in the same space of time, during a season of peace, and without any of those great natural calamities which interrupt the happiness of nations.

When your memorialists examine the policy of Europe, (that portion of the globe from whence sound lessons of political economy are derived) they find, that the system pursued in this country is in direct hostility with that of every wise nation there. All of them sedulously guard the interests of their manufactures, as one of the main sources of their wealth. They either restrain by prohibitory duties, or prevent by absolute prohibitions, the importation of such articles as their own subjects can manufacture.

We are persuaded, that sound policy dictates to all legislative bodies, particularly those of young nations, carefully to review the systems pursued in other countries; to trace their effects on the welfare of the people on whom they operate, and to shun those which destroy the industry, enfeeble the strength, and impair the resources, of the respective nations; and, on the other hand, to adopt, as nearly as may be, such as have fostered their industry, and increased their strength and resources.

The limits of a memorial prevent us from entering into detail on the tariff of different nations. We cannot, however, in justice to the public interests omit to touch slightly on some of the prominent features of the protecting system pursued in other countries, whose statesmen are certainly not inferior to ours in intellectual attainments, and whose examples and opinions should not be lightly rejected. We shall confine ourselves chiefly to four. Great Britain, France, Austria and Russia. Other nations, as Prussia, Holland Denmark, &c. pursue a system marked with similar characteristic features.

Great Britain prohibits, even from her own dependencies, calicoes, manufactures of gold, silver or metal; laces, ribands, silk goods, &c. &c. And her protecting duties are so high, as in most cases to be equivalent to prohibition. The duty on hats is about seven dollars and a half each, and on woolen cloths seven dollars and a half per yard. There are above sixty articles, including manufactures of brass, copper, carriages, thread, stockings, &c. subject to fifty-nine per cent.; China and earthenware, shawls, &c. pay seventy-nine; cotton manufactures, cotton stockings, caps, thread and linen sails, pay eighty-five; glass manufactures generally one hundred and fourteen; skins or furs, tanned, tawed or curried, and articles made of leather, or whereof leather is the article of chief value, one hundred and forty-two per cent.

So minute is her attention to this grand point, that linen, when chequered or striped, painted or stained, is subject to one hundred and forty-two per cent. duty; but only to sixty-three when not chequered or striped. The object is to secure to her own subjects the profits of the staining, printing, &c.

Great Britain expended many hundred millions of pounds sterling to replace the Bourbon family on the thrones of France and Spain, and of course had high claims on the gratitude of both monarchs. Yet the paramount duty of justice to his subjects, gained the ascendancy over gratitude to his friends, in the councils of Louis XVIII. One of the earliest measures of his administration was the promulgation of a tariff, whereby above two hundred different articles, including all the most important of the British manufactures, and, amongst the rest, muslins, cambrics, woolen cloths, all articles made of leather, steel, iron, brass, tin, wood, bronze, &c. were totally prohibited.

Let us add, that Ferdinand VII. as soon as he ascended the throne of Spain, issued a proclamation, not only forbidding the importation of cotton goods altogether, but ordering those actually in the country to be re-shipped within twelve months.

For the policy of Austria on this important subject, we respectfully refer you to a recent British publication Rordanes on European Commerce. It is therein stated, that "*the importation of all silk, cotton, and woolen manufactures is forbidden in the whole extent of the Austrian dominions, as it has been hitherto in the ancient Austrian states only.*" There are various other prohibitions, unnecessary to be detailed.

The prohibitory system of Russia, a country like our own, with a vast territory and a very disproportionate population, is carried to an extent far beyond that of any other in the world, except China. It embraces all the great leading articles of manufacture, as cotton, linen, leather, wool, wood, copper, iron, paper, silk, silver-plate, glass, and a vast variety of articles of minor importance.

Every reason that exists for prohibitions in those nations, for the purpose of protecting the native manufacturer, and preserving the resources of the country, exists here. And we cannot but lament, that the arbitrary governments of Europe have displayed more attention to the interests of their subjects interested in manufactures, than the same description of persons have experienced from their fellow-citizens in congress. The former are protected by the strong arm of the law, against the competition of *every nation whatever*; while the latter are exposed to the competition of *the whole world* and consequently to ruin. It therefore irresistibly follows, that so far as regards the acquisition of property, and the protection of property acquired, a large portion of this class of citizens are debarred from one of the most substantial advantages of government. This is a stain on our annals which cannot be regarded without deep regret,—a stain which, we respectfully hope, for the honor of our common country, you will speedily obliterate.

Numerous objections have been raised against the protection of manufactures in this country, which we shall freely but respectfully examine.

Among the most prominent is the extortion said to have been practised by the manufacturers during the late war, which has been by many regarded as a complete justification of the refusal of an increase of duties.

We believe this accusation can be fairly disproved, to the satisfaction of every ingenuous mind; and we respectfully invite your attention to the subject. We shall state the case of superfine broad-cloth, on which the chief reliance has been placed. The reasoning that applies to this article, will apply equally to others.

Foreign cloths were sold, in 1811, before the war at eight, nine, and ten dollars per yard. Merino

washed wool was then about seventy-five cents per pound. One hundred and fifty thousand pounds of imported merino wool were sold, in the course of that year, by Messrs. Warder and son, of Philadelphia, to Messrs. Dupont, of Wilmington, and others for, from seventy to eighty cents. On the general establishment of the woolen manufactories, in the close of 1813, merino wool was sold at two dollars and a half to three dollars per pound, as appears by the Philadelphia price current; which also shows, that on the 28th of March, 1814, the price was from three to four dollars, at which it continued stationary for the remainder of the year. The highest price of American superfine broad cloth, at that period, averaged from twelve to fourteen dollars. Foreign cloth was generally sold at a higher rate; and, but for the supplies from the American manufactories, would probably have been sold for twenty dollars. Thus, while the farmer, who advanced the raw material from four to five hundred per cent. and the importer, who raised his prices from fifty to two hundred per cent. on the various articles he had for sale, accuse the manufacturer of extortion, the latter did not advance his fabrics more than fifty per cent. on the prices current before the war, notwithstanding the extravagant rise in the price of the raw material, and likewise in wages, owing to the extraordinary demand for workmen, and notwithstanding the enormous expense of the manufacturing establishment, and the advance in the price of almost every article of food and dress.

We hope and believe, that this accusation, though so often reiterated, will have no influence on your honorable houses.

We beg leave very respectfully to take another glance at this subject. The cotton planters have for many years raised cotton at an expense of about eight or ten cents per pound, and sold it from twenty to thirty-five. The farmer has likewise raised wheat at an expense of one dollar per bushel, and frequently sold it from two to three dollars. While they made such exorbitant profits and independent fortunes, unenvied and uncensured by their manufacturing fellow citizens, it cannot be very correct for them to reproach the latter (a large portion of whom have been ruined) with extortion, for selling at thirteen or fourteen dollars an article which actually cost them ten or eleven. Let it be observed that every yard of superfine cloth requires four pounds of merino wool unwashed, or two washed. When the heavy expense of the manufacture, and the interest of the capital invested, are taken into consideration, it will appear that the profits were very far from unreasonable. This accusation, therefore, cannot fail to recall to recollection the parable of the beam and the mote.

But, even admitting that the manufacturers had really been guilty, during the war, of tenfold the extortion they are unjustly charged with, it by no means follows that the prosperity of our country should be sacrificed by the suppression of its industry and the protection of that of foreign nations; or that therefore manufactures should not be protected by adequate duties, lest similar extortions should now be practised; for, to avail ourselves of the cogent and irresistible arguments of Alexander Hamilton, the competition between our citizens engaged in those branches would secure the articles to the consumer at a fair price:—

"Though it were true, that the immediate and certain effects of regulations controlling the competition of foreign with domestic fabrics, was an increase of price, it is universally true, that the contrary is the ultimate effect with every successful manu-

facture. When a domestic manufacture has attained to perfection, and has engaged in the prosecution of it a competent number of persons, it *invariably becomes cheaper*. Being free from the heavy charges which attend the importation of foreign commodities, it can be afforded cheaper, and accordingly seldom or never fails to be sold cheaper, in process of time, than was the foreign article for which it is a substitute. The internal competition which takes place, soon does away every thing like monopoly, and by degrees reduces the price of the article to the minimum of a reasonable profit on the capital employed. This accords with the reason of the thing, and with experience."

Another objection is, that labor is too high in the United States to afford any chance of competing with foreign manufacturers. To this we reply, there are various manufactures so well established here as to overcome foreign competition altogether, and it therefore follows that this objection falls to the ground.

We might instance a great number; but we confine ourselves to the manufacture of shoes and boots, of which each individual in the United States probably averages a pair and a half per annum, amounting to about thirteen millions, which, at one hundred and twenty five cents per pair, amount to sixteen millions of dollars per annum. Of those articles, the importation in 1816, as may be seen by reference to the reports of the secretary of the treasury, was only 42,184 pair, and in 1817, only 50,562. This decides, we trust, the question of high wages for ever; for, if the objection were valid, it would apply to the manufacture of shoes and boots with as much force as to any other; and it is worthy of observation, that the duty on men's shoes is only twenty-five, and on children's fifteen cents per pair.

To this we beg leave to add another reply, of at least equal cogency. There are few manufactures, either wholly or chiefly depending on manual labor, which have not succeeded in the United States; whereas our defeat is principally in cottons and woollens, produced almost wholly by machinery, aided by the labor of an over proportion of old men, and of women and children. Hence the advantages of our boundless water-power,—our extraordinary mechanical skill,—and the superabundance, in the case of cotton particularly, of the raw material, are injudiciously sacrificed.

The next objection we shall notice is the alleged demoralizing effects of manufacturing establishments. To refute this, we invite your attention to, and comparison between, two neighborhoods, in one of which manufactures are established, and another remote from such establishments. In the former, there are, as already observed, numbers of aged men and of women and children, usefully employed for themselves, and adding to the mass of the resources and happiness of their country; while, in the latter, a large proportion of persons of this description are doomed to idleness, and its inseparable attendants, vice and guilt. Children, in manufacturing establishments, are trained to habits of industry, order, and regularity, which generally adhere to them through life.

But we are not left to the guidance of mere hypotheses alone, which, however plausible, is often very fallacious. We have the strong basis of fact to rest on. There is no country in Christendom where manufactures have been carried to a greater extent than in England proper. Therefore in no other country could the experiment be more accurately made; and there the question has been fully

decided. Colquhoun, a most indefatigable and accurate statistical writer, after a full survey of the pauperism and crimes of that country, informs us that the agricultural very far exceed the manufacturing counties in both those stains upon human nature. From this authority there can hardly be any appeal.

It is asserted that it would be a pernicious policy, to entice away capital and labor from agriculture to workshops. This apprehension is wholly groundless. Farmers or planters rarely transform themselves into manufacturers. There is in this country a vast amount of capital, for which the owner cannot, in the present deranged state of our affairs, find any employment. But, were there any assurance of adequate protection to manufactures, it would be immediately directed towards those objects. There are likewise great numbers of persons, skilled in the cotton and woolen branches, who are destitute of employment, and who could abundantly supply the demands of the United States, were they duly encouraged. We have already stated, that the greater proportion of the labor is performed by old men, women and children. Let us add, that were those branches in such a flourishing state as to hold out inducements to emigrants, we should have constant accessions to our population of persons skilled in them, many of whom would bring with them large capitals, equal to our utmost wants, without drawing away any portion of the capital or labor engaged in husbandry.

The danger of encouraging smuggling is regarded, by many of our citizens, as an insurmountable objection to protecting or prohibitory duties.

This will be found to disappear, like the rest, when fairly subjected to examination. For suppose it were necessary to raise the duties on woollens and high priced cottons to 35, 40, 45, or even 50 per cent., we appeal to the candor of your honorable houses, whether the objection to any of these duties on cambrics, muslins, and broadcloths, on the ground of the danger of smuggling, can be admitted for a moment, when it is considered that gin is subject to a duty of one hundred and twenty-four per cent.; rum, to eighty-six; brandy, to ninety-six; cheese, to seventy; souchong tea, to from seventy to one hundred and twenty; manufactured tobacco, to fifty; and wines, to fifty and sixty. We shall only add, that it is indubitably as easy to smuggle a pipe of wine, a chest of tea, a cask of rum or tobacco, as a trunk of muslins or cambrics, or a bale of broad cloth.

Another objection is against the injustice of taxing the many, for the benefit of the few. This assumes the groundless position, that permanent protection of manufactures would necessarily produce permanent high prices, which is refuted by the luminous maxim quoted above from Alexander Hamilton. But even admitting this maxim to be incorrect, the objection may be answered fully in another mode. If one part of the community is not to be taxed for the benefit of another, why, we respectfully ask, is gin dutied at one hundred and twenty-four per cent. for the protection of the peach brandy and whiskey of the farmer, and cheese at seventy per cent? Why is the coasting trade secured to our merchants, by which foreign competition is wholly excluded? And why, we ask, are *"so many taxed for the benefit of the few,"* by the enormous expenses of a navy, foreign embassies, &c. for the protection of commerce?

The protection of manufactures is strongly objected to, on account of its interference with commerce. But omitting all considerations arising

from the general distress produced by the existing system, we ask, have we at present, or are we likely to have, any commerce, to which it is right or proper to offer up as a sacrifice the welfare and happiness of the useful and productive body of men, engaged in manufactures? Such is the prostrate state of our commerce, which unfortunately depends, in a great measure, for its success on European wars and famines, that there are few articles that can be imported, and as few that can be exported, without loss.

But even admitting for a moment that our commerce was not so highly disadvantageous as it is, and that the encouragement of manufactures would somewhat interfere with it, we cannot thence infer, that it would not be amply indemnified. In fact, far from suffering, it would gain by the arrangement; for the diminution of the number of merchants, by a portion of them withdrawing to manufactures, would render the profession profitable to those who remained. It is obvious, even to a superficial observer, that the mercantile profession in this country has almost always been greatly overdone—and that an inevitable consequence of the superfluous number of merchants, has been to raise the markets for our produce at home, and depress them abroad, not only to the injury and frequent ruin of the merchants, but to the injury of the nation. Hence it is more than probable, that our commerce, in which for twenty years more than half of those who pursued it have been ruined, would have insured independence and happiness to two-thirds of the number, had the residue transferred their talents, their industry, and their capital to manufactures.

Another consideration deserves attention. The encouragement of manufactures would open new channels of commerce, by the importation of raw materials from abroad, and by the increase of the coasting trade, in transporting the manufactures of the middle and eastern states to the southern, and the cotton and other raw materials of the latter to the work-shops of their fellow citizens. Even of late years, the tonnage employed in the transportation of raw materials to the port of Philadelphia, has exceeded that employed in the transportation of piece goods.

To foster and cherish national industry, the paramount duty, and the characteristic feature of good government, most of the nations of Europe either wholly prohibit, or impose high duties on the exportation of raw materials. We are probably the only civilized people who, possessing to an immense extent, one of the most valuable raw materials in the world, not only send it abroad to distant nations, wholly free of duty, but receive it back in a manufactured state, at an advance of from one hundred to two thousand per cent. It would not be more unreasonable to export our wheat to have it ground, and purchase it again in the form of flour, than to sell raw cotton and receive it back manufactured; as the advance on the flour would hardly ever amount to a third part of the advance on cambrics and muslins.

We respectfully state to your honorable houses, that such is the wonderful increase in the value of cambrics and muslins, beyond the price of the raw material, that the labor of 100,000 cotton manufacturers, aided by machinery, would pay for the amount of the greatest export of the productions of the United States, in any one year since the declaration of independence. This fact which if you require it shall be proved at the bars of your houses by the most unexceptional testimony, is the more

extraordinary and lamentable, as the high rate of wages here has been, as we have said, among the objections raised to manufactures; whereas it appears, that we exchange the produce of the labor of ten, twenty, or thirty of our citizens for that of one foreign manufacturer.

Another objection arises from the supposed danger of impairing the revenue. We respectfully represent to you, that in the scale of reason and justice, this objection does not appear entitled to as much importance as is attached to it. The expenses of the government must be borne—the interest of the debt be paid—and the debt itself gradually extinguished. But these objects can be effectually accomplished without any sacrifice of the national industry. For if low priced cottons and woollens, such as we can ourselves abundantly supply, were wholly prohibited, and the duties increased on those of greater value, the revenue would probably be indemnified by the gain in the one case for the loss in the other. The same observation applies to most other articles which require protection.

But we beg leave further to represent to your honorable houses, that the policy pursued, so highly injurious to the national resources and industry, has not been advantageous to, but must ultimately injure the revenue; for the general distress, and the decay of trade and commerce, resulting from the drain of specie, to pay for the extravagant and ruinous importations of foreign goods, have produced such a disability of purchase at present, that the importations of the ensuing twelve or eighteen months, and consequently the duties, will fall very far short of those of former years. And thus the future deficit will probably more than countervail the past excess.

But should the system of protection impair the revenue, it would be only in a slight degree, and merely affect the question of the period of the ultimate redemption of the public debt, which may in consequence be somewhat protracted. When the alternative is, between this effect on the one hand, and a continuance of the existing state of things on the other, we trust there can, in an enlightened body, be no difficulty in the decision. It would be unsound policy in a merchant to anticipate the payment of his debts so rapidly as to deprive himself of the means of carrying on his commerce; and it is equally unsound for a nation, unnecessarily, to press forward the payment of its debts with such rapidity as to exhaust its resources.

Among the reasons that alienated the affections of America, in its colonial state, from the parent country, a very powerful one was the restraints imposed on its manufacturing industry. These were the subjects of loud and unceasing complaints.—And we respectfully ask you, whether the consequences to the nation and to individuals are not as fatal, when our industry is torn up by the roots, through the means of a tariff, fatally inadequate to protect it, as by an arbitrary edict? Does it administer any comfort, to the hundreds of useful citizens who invested large capitals in those valuable manufacturing establishments, spread throughout the country, whose ruins bear the strongest testimony against the policy we pursue—or to the tens of thousands of workmen reduced to mendicancy, many of them with large families, that their sufferings have not proceeded from the mandates of a privy council, but from the erroneous policy of their fellow-citizens?

The policy of this country has been in a great degree predicated on the specious idea of Adam Smith, *“to buy goods where they can be had the cheap-*

est." It has had a fair trial, and its pernicious tendency has been clearly demonstrated. We buy cotton, wool and muslins in Hindostan—cambrics, and muslins, and broad-cloths, in France and England, because we can purchase them cheaper there than at home. And there is good reason to believe that we shall have large importations of "cheap" wheat from Odessa. This system has caused a large portion of the existing distress. But of what avail is it, that every species of goods and merchandise, and even most of the necessities of life, are "cheap" when the means of purchase are far more reduced with almost every class, and with some have nearly disappeared? The owner of houses, who was in the receipt of two or three thousand dollars per annum, and whose rents have fallen one third or one half—the store keeper who made a comfortable support for his family, and whose business is almost wholly suspended—the great body of our western farmers, whose bread stuffs are excluded from those European markets, whence their supplies of "cheap goods" have been drawn, and whose industry has thus received a vital stroke—workmen who earned six, eight, or ten dollars per week, and who are now destitute of employment—and every other class of the community, now enduring more or less distress—derive little consolation in their difficulties and embarrassments, from the consideration that they have bought and can buy foreign articles cheaper than domestic. We are persuaded, had the latter been twice as dear as the former, (the difference of price, however, has generally been insignificant,) that recent events prove it would have been sound policy to give the preference to the productions of our fellow-citizens.

We beg leave to correct an error of considerable importance. We said, that "every class of the community was suffering more or less distress." There is one striking exception. Great capitalists find a golden harvest in these times. They can add farm to farm—house to house—ship to ship—and stocks to stocks, at their pleasure, to the ruin of the productive classes, who have been always regarded as the most valuable portion of society—and whom it has been the policy of all wise governments to foster and cherish. The present state of affairs is wonderfully calculated to enrich the wealthy extravagantly; to impoverish and reduce to distress those who have heretofore furnished employment, and the means of procuring a comfortable subsistence, to thousands and tens of thousands of useful citizens, which they are now unable to afford, and not only to deprive the latter of the means of supporting themselves and families, but perhaps to drive many of them to desperate courses, as so frequently occurs in all countries, in times of distress and difficulty. A capitalist, with half a million of dollars, could now purchase property which one year since would have sold for one million and an half, and which, in one or two years hence, when the present calamitous state of affairs subsides, may realize the same sum. This is the poisonous fruit of the Upas tree, of "buying cheap goods abroad."

We hope it will appear, on such an enlarged and liberal view of the subject as ought to be bestowed on it by a legislative body, fairly chosen, in a free country, that the advantages held out to farmers and planters from purchasing foreign goods cheap, however specious and plausible they may have appeared, are wholly illusory. The great mass of those descriptions of citizens, purchase so few foreign manufactured goods, which alone are to be taken into view in deciding this question, that the utmost saving that can be made on them

is insignificant, compared with the solid advantages of securing a permanent home market for their productions. The average consumption of foreign manufactures, by the citizens of the United States, is not four hundred dollars per head. Let us suppose every species of foreign goods to be twenty-five per cent. cheaper than domestic: in this case the saving, by preferring the former, would be only one dollar per head throughout the union. Let us respectfully call your attention, on the other hand, to the severe loss incurred by the sacrifice of domestic industry. This will enable you to form a correct decision on this important subject. The reduction in the price of cotton from thirty to eighteen cents per pound, is thirty six dollars on a single bale, and the reduction in the value of wheat produced by a single acre of land, suppose twenty bushels, by a fall of from two dollars and fifty cents to one dollar and a quarter per bushel, is twenty-five dollars. And it will not admit of a doubt, that had the protection of our cotton establishments provided a home market for that important staple, the price, from the steady increasing demand, would probably have remained stationary; at all events, it would never have experienced so rapid and so ruinous a reduction. Moreover, so far as regards the farmer, it is highly probable that a due protection of manufactures would, in a few years, as already observed, attract to this country so many foreign artists and manufacturers as would consume nearly as much of the necessities of life as are now exported abroad.

Clearly, therefore, have they paid the forfeit for adopting the maxims of "purchasing where goods could be had the cheapest;" a maxim rejected in practice, as we have stated, by every wise nation in Europe, and acted upon only by Spain, Portugal, and the United States.

On a review of the proceedings of the fourteenth congress, your memorialists find that the present calamitous state of affairs was clearly exhibited to their view as early as February, 1816. What was then prophecy has, alas! fatally become history.

The committee of commerce and manufactures, in a most excellent and eloquent report of the above date, ask,

"Do not the suggestions of wisdom plainly show, that the security, the peace and the happiness of this nation depend on opening and enlarging all our resources, and drawing from them whatever shall be required for public use or private accommodation?"

The committee consider the situation of the manufacturing establishments to be perilous. Some have decreased, and others have suspended business. *A liberal encouragement will put them again into operation with increased powers. But should it be withheld, they will be prostrated. THOUSANDS WILL BE REDUCED TO WANT AND WRETCHEDNESS. A capital of nearly sixty millions of dollars will become inactive, the greater part of which will become a DEAD LOSS TO THE MANUFACTURERS.* Our improvidence may lead to fatal consequences.

The powers, jealous of our growth and prosperity, will acquire the resources and strength which this government neglects to improve. It requires no prophet to foretell what use foreign powers will make of them."

It cannot be sufficiently lamented, that these sage admonitions were unavailing. The tariff on the most important manufactured articles was fixed so low, that it required but little sagacity to foresee the ruin of the manufacturers, and the consequent impoverishment of the country.

Your memorialists respectfully state, that they

further find that the manufacturers, while numbers of them were sinking victims off and all of them suffering by, the overwhelming competition of foreign rivals, explicitly stated their sufferings and dangers to their fellow citizens in congress, each succeeding session, respectfully and earnestly soliciting that protection, which they alone had the power, and which it was their imperious duty, to bestow. It is painful to your memorialists to state, but candor requires they should state, that those applications were disregarded—that the applicants were left to fall victims in an unequal struggle—in which long established manufactures, immense capital, great credit, and governmental protection were arrayed on one side; and on the other, infant establishments, exhausted capital, slender credit, and a tariff utterly inadequate for protection. The memorials from Rhode Island, Pittsburg, Baltimore, and Opsida county, are masterpieces of eloquence, admirably calculated to excite the sympathy and to command the aid of the legislatures to which, unhappily, they were in vain addressed.

Although this memorial has already extended to a great length, we cannot close it without placing the subject in another important point of view, deserving of your most serious consideration.

The establishment of manufactures on a respectable scale, in any town or village, is of transcendent benefit to the agricultural interest, as they immediately enhance the value of the lands in the neighborhood, from one to five hundred per cent. Independent of the advantage already glanced at, of a steady home market for his wheat, flour, corn, rye, &c. the farmer has "a certain demand for his cabbages, peas, turnips, and other garden stuffs, and fuel, which are too perishable for foreign markets, or not worth the expense of transportation." And this is not mere theory. There are two strong cases in point. The establishment of the manufactories at Brandywine and Pittsburg, enhanced the value of the neighboring lands in the ratio above stated, and wonderfully increased the prosperity and comforts of the circumjacent farmers. The same effect has been produced in other parts of the union: and it would be every where produced, in a great or less degree, by the same cause. And, moreover, the sons and daughters of the farmers and country laborers, a large portion of whose time is at present entirely wasted, would have a source of profitable employment, to add to the comforts and the happiness of their parents.

We therefore pray, that taking the premises fully into consideration, you will be pleased to revise the tariff in such a mode, as to revive our drooping manufactures, and afford effectual protection to the national industry.

Foreign Articles.

GREAT BRITAIN AND IRELAND.

The prince regent completed his 57th year on the 5th of August last.

An Edinburgh paper, says—It is with deep concern we learn, that of 732 looms in the town of Girvan, there are no fewer than 316 unemployed.

A woman was lately hung in Ireland for the murder of her husband. She had seated him in her lap, and was kissing and fondling upon him, at the moment when her brother knocked out his brains! Her father was also present at the transaction, which was all preconcerted!

The military have been called in to suppress a riot at Macclesfield. At Ashton, the people drove out the military—particulars not stated. At Stock-

port they were drawn up in military array against the soldiers, and threatened battle. Parties were "drilling" in many places—they are charged with being neither "mute nor motionless"—pikes are much talked of, and some of them are said to have declared, they would not be "unprepared" when they again attended meetings to petition for reform. At a meeting held at Huddlesfield it is stated that a person openly invited the people to exert their physical power to redress their grievances. Meetings were becoming very general; and the word "revolution" was apparently becoming familiar.

The rev. Mr. Harrison had been arrested for a "seditious" rumor. Hunt and many others have been arraigned for high treason. In the party implicated by this charge are several women.

Stocks, Aug. 23—3 per cent. consols, 71½.

Gen D'Evereux was yet at Liverpool on the 25th of August.

The report of a journey of the duke of Wellington to Berlin, Warsaw, &c. appears unfounded.

London has been considerably agitated by "seditious placards" posted up.

On the 23d of August, Doctor Watson addressed two letters, one to lord Sidmouth, the other to the lord mayor of London. The former was in these terms:

My lord—In the event of the absence of Henry Hunt, esq. and sir Charles Wolseley, from the meeting intended to be held in Smithfield, on Wednesday next, being myself invited to the chair, I am desirous to be informed from your lordship, whether it is the intention of his majesty's ministers to interrupt the peaceable assembling of the people on that day; and from motives of humanity, whether they will be allowed peaceably to separate without any military attack on their persons.

"I am, my lord, your obedient servant,

JAMES WATSON.

Three kings court, Fleet-street, Aug. 25, 1849.

Manchester meeting. All accounts agree that the attack of the military on the people assembled at Manchester, was unprovoked—that it was against every principle of law or justice. Cases of savage ferocity against particular individuals are noticed, that would be dishonorable even to Algerines. It may be emphatically said, that outrage, on the part of the government, was the order of the day. The insolent cavalry deserved to be torn into pieces—if any men can deserve such a punishment. The coproner's inquest brought in verdicts of "accidental death" on those who were murdered!

Many troops are stationed in the neighborhood of Manchester—no act of violence had been committed by the people, but there was something in their general appearance that indicated a resolution to redress their wrongs. A thinking face was an object of *loyal* suspicion.

Among the persons killed at Manchester was a young woman whose face, from the nose to the ear, was cut away by the sabre of a gallant soldier!

London, Aug. 22. A meeting at the Crown and Anchor, convened for the purpose of taking into consideration what they choose to call the murders and massacre at Manchester, took place yesterday.—The large room was filled by one o'clock, when loud cries of *chair! chair!* commenced. A party then entered the room amidst tremendous huzzas; and amongst the individuals were Gale, Jones, Dr. Watson, major Cartwright, Mr. Waddington, &c.

Mr. Waddington being called to the chair, began by stating that he had witnessed many terrible scenes: he had beheld the severities committed in America, but never had he read so terrible a page

as that presented by the details of the atrocities at Manchester.—(*loud cries of bravo!*) He had been also in France, in Spain and in Belgium; he had witnessed four revolutions—(*Cries of "and you shall see a fifth!"*) but never had he beheld anything so horrible as the conduct at Manchester, the attacks upon defenceless men, harmless women, and suckling children.—(*Immense applause!*) He conjured them to do their duty, to be firm, and to shew themselves worthy of Hamden and Sydney.—(*Bravo! bravo!*)

Mr. Wooler then rose. He said, bad as was the system, he had never expected to behold such deliberate marshalling of murder and havoc, bloodshed and massacre. They did not see the merciless conduct of any one individual; but they beheld a conclave of friends assembled, and deliberating how they could let loose murder and destruction with most effect.—(*Loud hurrahs.*)—After denouncing the two parties and eulogising the third party of the people, he proceeded to state, that the said authorities opposed all reform, and that the people must act for themselves. Mr. W. concluded by reading a series of resolutions, declaring the meeting at Manchester to have been legally held, reprobating the conduct of the yeomanry, condemning the Jesuitical circular of lord Sidmouth, the obscure proclamation of the prince regent, and the other acts of the ministers; but applauding the conduct of the regular soldiery, and calling upon the inhabitants of London, Westminster, Southwark, and the country, to convene public meetings, and to express their abhorrence of so detestable a crime.

Major Cartwright seconded the resolution.

Mr. Gale Jones, at great length, stated his concurrence in all that had been said, and concluded by moving: that a subscription be opened for the purpose of employing counsel on behalf of the persons apprehended, and that Mr. Harmer and Mr. Pearson should be their solicitors. He called on the widows and friends of the dead, not to allow their bodies to be interred till bills had been preferred against the yeomanry for murder.

The several resolutions were then put and unanimously agreed to; and after votes of thanks had been passed to major Cartwright, to Mr. Wooler, Mr. Hunt, &c. the meeting quietly separated.

Official regulation respecting passengers on board merchant vessels:

Treasury Chambers, 4th June, 1818.

Gentlemen—The American chamber of commerce at Liverpool, having applied to the lords commissioners of his majesty's treasury, that the American ships now at Liverpool may be allowed to carry out one passenger for every five tons burthen of the ship, and that the number of passengers may not be restricted to one for every five tons, remaining unladen, as directed under a late construction of the acts of parliament to that effect, communicated to you in the letter of this board of 6th May last; and my lords having had under their consideration the act of 43d Geo. 3, chap. 56, observe that in the first section thereof, it is provided that no British ship shall be allowed to carry more than one passenger for every two tons of that part of the ship remaining unladen, including the crew; and that the 11th section of the act provides, that masters of foreign vessels shall not have on board more than one person for every five tons burthen, including the crew.

As the clause refers to the whole burthen or tonnage of the ship, and not to the part unladen, my lords are of opinion, that the number of passengers to be carried by foreign ships should be regulated, as they understand to have been the practice hith-

erto, by the number of tons, and not with reference to the tonnage of the wares and goods with which the ship may be laden; and that if the whole number of passengers, including the crew, do not exceed one per five tons, that the same may be lawfully conveyed under the conditions of the act 43d Geo. 3, chap. 56, in foreign ships, and under the conditions of the 56th Geo. 3, chap. 114, in British ships also.

S. R. LUSHINGTON.

To commissioners of customs.

FRANCE

The king has granted to the prince of Eckmühl, the statue of gen Le Clerc.

Two young men, princes in Madagascar, educating in France, were lately presented to the king.

Another celebrated exile, the Duke of Bassano, (Maret,) is said to have obtained permission to return to France,

The marquis de la Fayette lately gave a French merchant, who was going to St. Domingo, a letter of recommendation to the president of the republic of Hayti. He has received, in return, a letter full of the warmest expressions of esteem.

NETHERLANDS.

At Antwerp, on his majesty's birth-day, (August 24th) the "order of the day" contained among other rejoicings, the distribution of 3000 loaves of bread and 3000 escalins (nine pences) among the poor. This is making a *re-payment* at about the rate of one cent to the dollar.

A brig has arrived in the Scheldt to carry gen. Bacirone and his officers, and some soldiers, to South America to assist the patriots.

Brussels, Aug. 6. A decree of his majesty appoints in the city of Ghent exhibitions of articles of our national manufactures, at stated periods, the first exhibition to be in the year 1820.

SPAIN.

An article from Madrid states, that the English ambassador there had called upon the Spanish court to adopt measures of the greatest severity, for the purpose of putting an end to the slave trade, carried on by Spanish vessels from Cuba, in the gulf of Guinea.

Cadiz is very sickly. The yellow fever prevailed there. The troops, it was supposed, would be removed. Vessels from that city are subjected to quarantine at New-York.

Letters from Spain of the 27th and 28th of August, are received at Philadelphia. We learn that the great expedition remained—as it was, that O'Donnell had been deprived of the command, and banished to his estate; several other officers of rank sharing the same fate. Don Onis had arrived at Madrid.

Col. Melchor, calling himself "a constitutional champion," is at the head of 800 patriots in Estremadura, and at open war with Ferdinand; who, in a public proclamation issued by Melchor, is spoken of as he (the king) *deserves*—and that indeed, is bad enough! He calls upon the people to shake off their chains, restore the constitution and the cortes, and be free. He has lately received a large number of recruits—we hope that tens of thousands may join the standard of liberty, and Ferdinand himself be sent to the galleys for life—in mild punishment of his perjury and crime. Melchor's proclamations are printed and distributed pretty freely, and he seems to pay no more regard than he ought to the "holy inquisition." He dates them "at the camp of liberty or the Guadiana, July 18, 1819."

It is pretty confidently asserted that the treaty for the Floridas will not be ratified, and that a minister extraordinary will be sent to the United

States to explain the reasons. This is attributed to a demand made by England that Spain should give Cuba to *her*, if she sold the Floridas to *us*!

It must be admitted that a refusal to ratify the treaty by Spain, is not a just cause for war on the part of the United States. Mr. Jefferson returned "Monroe and Pinkney's treaty" and the British government disavowed "Mr. Erskine's arrangements." We shall stand just as we were, except with additional causes for hostile feelings against Spain; and most will be inclined to think that negotiation to redress acknowledged wrongs, ought to terminate here. As to England, jealous as she is of us, we do not apprehend that a regard for her commerce with Mexico and South America, every day becoming more and more *essential* to her, will run the risk of losing it by taking up the cause of Spain by arms, and thereby becoming, as she needs must be, the enemy of the patriots—who, it is universally agreed, will ultimately succeed in establishing their independence.

GERMANY.

Nearly the whole of Germany—almost every kingdom, principality or state in it, seems to be disturbed by plots or the suspicions of them. It appears that the king of Prussia is acting in a very arbitrary manner in some of his provinces which have *laws*, and he has also evaded his promise of giving a constitution to his subjects. At present he is a military despot; and he intends to remain so, if he can. The *conscription*—the "horrible French conscription," under their own masters, bears harder upon the Germans, in some parts of the country, than any of the military requisitions of Napoleon ever did. What will be the end of these things no man knoweth—we would hope, in the emancipation of a most interesting people and the dispersion of despots. Many arrests of respectable persons are taking place. A great number of young Germans, late of the universities, are proceeding to France to finish their education.

The London papers contain an article, dated at Frankfurt, on the 7th of August, which states that a serious riot had broken out at Wurtzburg, in Bavaria, which had for its object the expulsion of all the Jews from the city. The mob attacked and pillaged several of the houses of the Jews. The garrison of the place resisted, but in vain. Several other detachments and some pieces of cannon were obliged to be sent for; still the rioters did not yield, and the troops were compelled to fire. One citizen was killed and several wounded, some of them mortally. Several of the Jews escaped from the city, and those who remained, were obliged to have guards. This scandalous affair is highly disapproved of by the Bavarian government.

Mr. Gentz, the celebrated political writer, has been invited to Carlsbad by prince Metternich, in order to draw up a declaration, in the name of the sovereigns, to the people of Germany.

The thunder storm, which lately took place at Botzen, was attended with some singular effects. The electric fluid entered the apartment of Doctor Eich. Holzar, melted some louis d'ors on his table, burned the goose-quill he was writing with, struck the doctor in the head, carried off his wig, and 33 per cent of his right ear.

ITALY.

The sculptor Canova is building a church in his native town in the Venetian states, at his own expense. The style will be antique, and the cost of the edifice will be more than an hundred thousand piastres.

EAST INDIES.

The erection of a monument to *Narren Hastings* is proposed at Calcutta: we would recommend that its supporters should be—*war, famine and pestilence.*

European goods, generally, are selling at Batavia at a loss of 50 per cent. The Dutch have four ships of the line, six frigates, and many smaller vessels to protect their possessions, under two admirals. All their ports, except Batavia, are shut against foreigners.

The Boodhist priests of Ceylon are charged by the British with the *crime* of sheltering one of their native—"legitimate princes."—Hence, they are "rebels."

Statement of shipping in the river Hoogly, on the 1st of May, 1819.

	Vessels.	Tons.
Free traders - - - - -	13	5,993
Country ships, for Great Britain, -	2	1,103
Do. employed in country trade, 30		9,199
Do. for sale, or wanting freight 36		16,052
American vessels - - - - -	12	3,965
French vessels - - - - -	5	2,965
Portuguese vessels - - - - -	2	500
Danish vessels - - - - -	4	2,308
Dutch vessel - - - - -	1	145
Siamese vessel - - - - -	1	350
Total,	166	42,475

PERSIA

The London "*Sun*," says—It has been recently rumored in the political circles, that the British government has entered into a very close alliance with the court of Persia, and has not only engaged to supply the munitions of war, but to permit many British officers peculiarly selected for abilities, knowledge, and experience, to engage in the Persian service. The chief object of the reported treaty is said to be, to form a check upon the ambition of Russia, and to interpose Persia as a barrier against any designs which Russia may hereafter meditate upon India.

CAPE OF GOOD HOPE.

The Caffres are said to be embodied to the amount of 50,000 men. They have several times been defeated, with great slaughter, by the British. A predatory war is the only one by which they can hope to expel the "invaders" and the blood of the Caffrarian "patriots" will flow in vain, whilst they act in large bodies.

CANADA.

The total number of settlers arrived at Quebec, the present year, up to the 20th September, was 12,044 This is about as many as arrived in the United States within the last four weeks; and 25 per cent. of those who came to Quebec will find their way to the western parts of our country.

The following paragraph has appeared in a Canadian paper—We venture to say it was *news* to every body in the United States. "We have learned from a source entitled to the highest credit, that all the ship-carpenters on the other side of lake Ontario have been collected at Sacket's Harbor and taken into pay by the American government. It is also certain, that letters have been received by American discharged officers residing in this country, from their secretary of war, holding out inducements to them to re-enter the republican service. From the particulars communicated to us, it appears that they are re-organizing and completing their light dragoon regiments.

BRAZIL.

Extract of a letter from Rio Janerio—"Commodore Bowles, of the English frigate *Gresle*, got a

sound drubbing by the king's guard, for not dismounting and pulling off his hat when he met the king. The commodore was not in his uniform at the time, which is a great protection on such occasions. They attempted to make Mr. Sumpter, our former minister, dismount whenever he met his majesty; but he expostulated against it several times without effect, until being one day called upon to perform this slavish obeisance, he drew his pistols and challenged the whole guard; after which he refused to attend court, and they were compelled to compromise with him."—*N. Herald*.

Sixty Portuguese vessels arrived at Rio Janeiro between the 21st of September, 1817, and 21st September, 1818, with negroes. The whole number of slaves embarked amounted to 26,808, of which 3,475 died on the passage.

SOUTH AMERICA.

Pucyrredon, in consequence of ill health, has resigned the directorship. Don Joseph Rondeau acts, ad interim, and until a new director can be appointed according to the forms of the constitution.

Lord Cochrane appears to have made several captures, and to have taken large sums of money out of neutral vessels, as Spanish property. He suffered the British frigate Andromache, and sloop of war Blossom, to pass uninterrupted from Lima, with large quantities of treasure.

By an arrival at St. Thomas' on the 12th ult. from Santa Martha, intelligence was received confirming the former account of Bolivar's having beaten Samana, and taken possession of Santa Fe. After which he captured Perpignan and Mourpox, and the probability was, that he had also taken Santa Martha. It was said that gen. Paez fell in with a division of Morillo's army and entirely destroyed it.

[TRANSLATED FOR THE WASHINGTON CITY GAZETTE.]
PROCLAMATION—Simon Bolivar, President of the Republic, captain general of the armies of Venezuela and New Grenada, &c. &c. to the inhabitants of New-Grenada.

Citizens of New-Grenada, an army of Venezuela united to the brave troops of Casanare, under the orders of gen. Santander, march to free you. The groans which Spanish tyranny extorted from you have reached the ears of your Venezuelan brethren, who, after having thrown off the yoke of our common oppressors, wish to share their liberty with you. A British legion from more distant climes, has left the glory of its country to acquire the renown of saviours of America. Inhabitants of New-Grenada, this army of friends and benefactors is now in the bosom of your country, and God, who always protects suffering humanity, will make the arms of your redeemers triumphant. Inhabitants of New-Grenada, you yourselves have for years past, sunk under the power of these warlike tyrants whom Ferdinand sent with the ferocious Morillo. That formidable army over which we triumphed now lies in Venezuela. You alone support the cruelty of your tyrants; but you, inhabitants of New-Grenada and patriots are just—you will therefore turn against them those wicked arms which they had put in your hands, that you might be your own executioners.

Inhabitants of New Grenada—the delivering army is convinced of your liberal sentiments; and knows that you have been rather the victims than the instruments of tyrants. Do not fear those then who come to shed their blood, that they may make you a free and independent nation. Inhabitants of New Grenada, you are innocent in the eyes of the delivering army, in those of the congress and of

the president of the republic. As for us, we consider none guilty but Spanish tyrants, and even those they shall punish only in the field of battle, BOLIVAR.

RAYTI.

From Bell's London Messenger. The partiality of the emperor of Rayti to England has been evinced on many occasions, but perhaps never more markedly than in the following anecdote:—A dispute arising at Cape Francois between a few English merchants and some others, respecting the settlement of some property, both parties appealed to the law, and the case was decided against our countrymen. These, however, instead of yielding submission to the constituted authorities, repaired to Christophe, and obtained a promise that the affair should be reconsidered. On the day appointed for the merchants to meet him, they were introduced into his presence, where they found the judges from whose decision they had made the appeal.—The merchants were requested to sit down, while the judges were ordered to take their stand in certain parts of the room which he allotted them. The places which they thus occupied were immediately under some coaks, through which water occasionally issued to cool the apartment. The coaks were then instantly turned, and in this degraded situation the judges were compelled to remain with water streaming on their heads, and running over their bodies until his majesty was pleased to liberate them. Having detained them in this condition for some time, they were dismissed with these observations: "I hope, gentlemen, that by this time your heads are somewhat cool. When you gave your decision against these English merchants, they were rather too warm. But as they are now reduced to a more moderate temperature, you must reconsider this business, and give your judgment accordingly." The affair was immediately re-examined, and the claims of the English, as might naturally be expected, were soon discovered to be just.

Western Communication.

FROM THE ENQUIRER.

The following very interesting article is extracted from the last letter of Mr. Isaac Briggs (engineer) to Mr. Peyton, secretary of the Board of public works.

"Pattonsburg, Va. 9th mo. 1819

"I arrived here this morning, from a laborious tour on the mountains and the western waters, and am so far down James River in prosecution of my arduous duties. Thomas Moore, my able and respected colleague, has proceeded westward to finish an examination of the ground for the road between the mouth of Dunlap's creek, and the great falls of Kenawha. So far as he and I have proceeded together in this examination, we were encouraged to hope that ground might be found between those important points for a good road, not exceeding the distance of 90 miles, and no where exceeding the grade of 5 degrees of acclivity or declivity. It is possible, however, that this hope may be disappointed, as the examination is not yet complete.

I have now but a few minutes to state some general results from our survey; I cannot go into details. The distances from each other, and elevation above tide water, of sundry places, are as follows:

	miles	ps. above tide.
James river at the mouth of		
Craggs' creek		925 feet
To the mouth of John's creek	48	500
Craig's creek, at the mouth of		
John's creek		1270

To the highest spring tributary to Craig's creek	8	266
Elevation of this spring		2493
To the lowest point on the dividing ridge	0	116
Elevation of the said point		2551
To the nearest stream tributary to Sinking creek	0	98
Elevation of the said stream		2509
To the mouth of Sinking creek	34	51
New river at the mouth of Sinking creek		1535
From the mouth of Craig's creek to the mouth of Sinking creek	92	191
Jackson's river to the mouth of Dunlap's creek		1238
To the lowest point on the dividing ridge	16	69
Elevation of that point		2478
To the mouth of Howard's creek	12	
Greenbrier river at the mouth of Howard's creek		1640
To the mouth of Greenbrier river	49	287
<i>On New River and Kenawha.</i>		
From the mouth of Sinking creek to the mouth of Greenbrier	55	38
New river at the mouth of Greenbrier		1333
To Bowyer's Ferry	46	130
New river at Bowyer's Ferry		930
To Kenawha at the foot of the Great Falls	20	240
		122 108
Kenawha river just below the Great Falls		589
To the mouth of Kenawha river	94	
Ohio river at the mouth of Kenawha		481

From the 12th of May to the 18th of August, there were levelled with one instrument and surveyed, 389 miles, 860 miles of rivers and creeks, and 27, twice across the Alleghany mountains.

In the year 1816, the engineers employed by the state of New York found the surface of lake Erie to be 564 feet higher than the tide water at Albany. If then we assume as a fact, which appears to be quite reasonable, that the average height of the tide is, at Albany, at Richmond, and at the mouth of the Mississippi, on the same level, Lake Erie is only 83 feet higher than the Ohio at the mouth of Kenawha, and from that point to the mouth of the Mississippi, nearly 2000 miles, there is a fall of only 481 feet. I often contemplate, with enthusiasm, the numerous beautiful and placid rivers of the west, so admirably adapted to an easy and cheap intercourse, with a little improvement by industry and art.

I ascertained, mathematically, the height of a part of the Pond mountain, a branch of the Alleghany, and afterwards obtained a comparative estimate, the best in my power, of the elevation of the Pond, and of the highest knob above the point observed; the result of these observations and the estimate is, that the surface of the water in the pond is above tide water 3860 feet; and the bald knob, or highest point, 4160 feet."

CHRONICLE.

Maryland election. It is probable that there will be a sufficient republican majority in the house of

delegates to over-balance the federal senate, and elect by joint ballot a republican governor, &c. for this state. A statistical view of the election shall be presented when the returns are received.

Baltimore inspections.—162,986 bbls and 3512 half bbls of wheat flour; 4951 bbls herrings, 3238 casks and barrels of domestic liquors, were among the articles inspected at Baltimore for the quarter ending on the 30th ult.

Two soldiers of the revolution lately died in Baltimore county—major Wm. Gwynn and Mr. Wm. Campbell. They were much valued in their neighborhood.

French ships. The La Glorie frigate of 32 guns, and Euryale, brig of 16 guns, have stopped at Hampton Roads, from Newfoundland. A salute was given and returned between them and the Constellation.

Domestic industry. Societies are forming in many parts of the United States for the encouragement of domestic industry, among the members of which we notice many men of the first consideration in the community. It is true, that they are at present laboring "against wind and tide;" but example will have effect, and the time, we trust, is not so far distant as some apprehend, when it will be fashionable to appear wholly clothed in a plain suit of domestic goods.

We are not without a hope, that to use such goods may come into and form a part of the national feeling. If so, we shall soon begin to experience a real independence with a pride of character, of inestimable value.

Census of South Carolina.—By a census of South Carolina, just finished, it appears the number of white inhabitants stand thus:

Present census	231,838
Census 10 years ago	217,482

Increase of - - - 14,356

The increase is only at the rate of a little more than six-tenths of one per cent. per annum.

Wheat. The Buffalo "Journal," of the 14th ult. says—Considerable quantities of wheat, of the first quality, were sold at Fredonia, Chautauque county, during the past week, at thirty seven and a half cents per bushel; and the Gazette states that it did not meet a ready sale, even at that price.

Remarkable.—The Pittsburg Mercury states, that a wagon and team, on the 4th ult. forded the Alleghany river, opposite that city, the water in the channel being not more than 5 feet deep, though its usual depth at high water is from 27 to 30 feet.

The Missouri expedition is advancing slowly. The river is very low, and its navigation difficult: the steam boat Expedition was at fort Osage on the 21st of Aug. Time is given to explore the country, and several excursions have been made considerable distances from the river. Councils have been held with the Indians, and so far every thing had went on harmoniously. One of the steam boats had been abandoned below Franklin. Col. Atkinson, commander of the expedition, left Franklin on the 13th August, for the Council Bluffs.

From a series of astronomical and other observations, taken at Franklin, on board of the United States' steam boat Western Engineer, the following deductions have been made.

Latitude, 38° 5' 9" N.	} from Greenwich.
Longitude, 92° 53' 36" W.	
Do. 150° 58' 6" W. from Washington city.	
Magnetic variation, 11° 42' 5" E.	
Magnetic dip, 69° 25'	

NILES' WEEKLY REGISTER.

NEW SERIES. No. 7—Vol. V.] BALTIMORE, OCTOBER 16, 1819. [No. 7—Vol. XVII. WHOLE No. 437]

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

Since the prevalence of a malignant fever on Fell's Point, a greater portion of the REGISTER has been given up to *local* matter, than ever before. We have now the pleasure to state that this is, probably, the last time for the season, that we shall feel it necessary to speak of the health of "Baltimore," except in a short paragraph.

*An article signed "Juvenis," and apparently written by a young man, defending the "system of classical studies," has been received. It is prettily written, and if what we deemed a sufficient space were not already allowed to the discussion, it should have a place in the REGISTER. We now publish another article from the pen of the gentleman who commenced the controversy, and have one on hand also of an opposite tendency from the Albany paper. These writers are as many as we can attend to, on this subject, at present; and the production of "Juvenis," as well as some essays that we have been requested to copy from the Boston "*Chronicle and Patriot*," must at least be deferred.

Quarrels for credit! We see that certain papers are engaged in a most violent quarrel about the relative credit of certain *banks* in their respective states. We advise them to be quiet—the honor of neither is worth quarrelling for. All that are alluded to, have cheated to the extent of their means—and that's the beginning and end of it.

A HINT—for those who will understand and feel it. If the editor of the REGISTER were disposed to enter into the political intrigues of the day and become personal—he could reveal the hidden springs of the actions of some who have been set to work at him. But it is not in his line to do so. The poor printers who are obligated to support this *great man* or oppose that, are to be PITIED. It is their vocation. "Their poverty but not their will consents"—and they disseminate poison for subsistence.

FROM SPAIN. In the brig Joseph, which arrived at New York on the 7th instant from Bordeaux, Mr. Fenwick came passenger, bearing despatches from Mr. Forsyth, our minister at the court of Madrid, which he left on the 23rd of August. "The grand council of Castile had assembled and decided *not to ratify the treaty with America*, and a courier was immediately despatched to the Spanish ambassador in London." The courier passed through Bordeaux, on the 29th of August, with the official tidings of the non-ratification. Mr. Fenwick is bearer of the despatches to our government to the same effect."

The *National Intelligencer*, of Thursday last, says—"The statement we copied from a New York paper that, previous to the departure of Mr. Fenwick, 'the grand council of Castile had assembled, and decided not to ratify the treaty with America, and a courier was immediately despatched to the Spanish ambassador in London,' is calculated, we understand, to produce an erroneous impression, though certainly not intended. The time for the ratification of the treaty expired without its ratification. The grand council had assembled, not to deliberate probably on the subject of the treaty, but on other matters. Nothing had transpired respecting its resolves except that 'a courier was immediately despatched to the Spanish ambassador in London.'"

The question about don Luis de Onís's disgrace, so long in suspense, is settled by the arrival of Mr. Fenwick. M. de Onís was at Madrid, and was in high favor with the government."

☞We add—there is very little doubt but that Ferdinand has refused to ratify the treaty through British interference.

ROTARY STEAM ENGINE.—As supplementary to this number of the REGISTER we exhibit a view and give a description of the rotary steam engine, brought to its present perfection by the perseverance of the late captain GEORGE STILES, recently mayor of the city of Baltimore, and his son. The cuts which exhibit the engine, were executed by an amiable young artist, Mr. Throop, of Baltimore, and they are honorable to his taste and skill.

We learn that this invention was patented by Curtis and Yeamans, in February, 1812, and a company at Washington and Georgetown unsuccessfully attempted to apply it to propel a boat. In 1814 one of the parties came to Baltimore, and Messrs. Geo. Stiles and son embarked in what yet was only an experiment. The principle was believed to be good, but much time, labor and money were expended in attempts to apply it properly. Numerous costly experiments were made, one of which exceeded *nine thousand dollars*. At last, in June, 1816, a little boat was propelled by a small engine, with tolerable speed. Captain Stiles being then satisfied that a great discovery was accomplished, proceeded to build the steam-boat *Surprise*, and erect an engine for her. She was in operation in Sept. 1817—and such was her speed, that she went *three times round* the New-Jersey, until then considered the fastest boat in our waters, between the city of Baltimore and Fort M'Henry, a distance of but little more than two miles. It was now that that, which it was hoped the invention would do, seemed to be accomplished, except a remuneration of the great expenditures made to bring it to its present state of perfection.

Mr. John S. Stiles has one of these engines daily at work at his factory in this city. It was first put up for the purpose of boring cannon, which employed it until peace took place. It was then put to shop work; and about 18 months ago, that the power might be used, a corn mill, with two pair of four feet stones, was attached to it. The whole has always been open to public examination—and no fault seems to be found with its motion, even by those interested in overthrowing its principle. It has been at work nearly five years, and is still working with equal power, without having received any material repairs. The engine was intended as one of eight horse power, but by an alteration of the boiler, its power is now equal to that of 14 horses.

The great advantages of this engine, we are informed, are these—its *lightness*, not weighing more than one-fourth as much as other engines of like power; its *compactness*, by which one-half of the room is saved; its *economy* in fuel, which is equal to one-half the expense for it; its *cheapness*, costing one-third less than other engines; and its *simplicity* is such that an ordinary blacksmith can make any of the repairs that may be required (though it is not, by any means, liable to get of order); and its

management is so easy, that a person of the most common mind can work it. That now working at Mr. Stiles' factory and mill is under the care of a black man, whose chief qualities, as needful to its management, are sobriety and attention; and no accident, by which any person was injured, has occurred from any of those engines.

HEALTH OF BALTIMORE.

Interments for the week ending yesterday morning, Friday the 15th of October, at sun-rise.

	Malignant diseases.	Other Adults.	Children.	Total deaths 1819.—1800.
Saturday, Oct. 9,	2	4	4	2 6 12
Sunday, 10,	2	8	3	7 10 17
Monday, 11,	2	7	4	5 9 8
Tuesday, 12,	3	6	4	5 9 7
Wednesday, 13,	4	8	8	4 12 18
Thursday, 14,	1	7	1	7 8 8
Friday, 15,	0	8	3	5 8 10

62 80

By adults is to be understood all persons of, or more than 21 years of age.

Supposed (resident) population, October 15th, 1800—20,000; do. in 1819—60,000.

Further comparative view—whole deaths.

	Hospital. 1800-1819.	Fell's Point. 1800-1819.	Old-town. 1800-1819.	West of the Falls. 1800-1819.	Total. 1800-1819.
Oct. 9,	1	2	1	3	1 0 9 1 12 6
10,	0	1	6	1	3 10 5 17 10
11,	0	0	2	4	0 2 6 3 8 9
12,	3	1	1	3	2 1 1 4 7 9
13,	2	2	5	3	1 1 10 6 18 12
14,	1	1	1	1	0 5 6 8 8
15,	2	1	0	0	0 3 8 4 10 8

80 62

Deaths of the malignant fever for the week ending, Oct. 8,

Do. do. 15, 28 14

It was on the 27th of Oct. 1800, that the board of health congratulated the citizens of Baltimore on the "return of health," and advised absentees that they might safely occupy their homes, and pursue their businesses as usual. The board has not yet sanctioned the return of persons to the Point, as will be seen by the following notice—

Health office, Baltimore, Oct. 12, 1819.

The board of health earnestly request their fellow citizens who have removed into the country from Fell's Point, on account of the prevailing fever, to delay their return a few days; and in the mean time to furnish the key of their respective dwellings—and, if convenient, a personal interview with some of the members of the board.

By order, P. REIGART, Sec'y.

District medical and surgical society. At a meeting held on Monday, the 11th inst. the following report of the standing committee, appointed to investigate the state of the health of the city, was received:

REPORT.

The committee feel the greatest satisfaction in being enabled to offer their congratulations to the society on the improved state of the health of the city, during the past week.

The disease on Fell's Point, of whose ravages it has been our painful duty so long to have been the heralds, appears to have assumed a character of greater mildness. Its mortality has very much diminished.

A prophetic spirit generally arises on occurrences like the present which is calculated to produce dangerous consequences, and although our minds are eager in common with others to cherish hope, yet it is our desire to deprecate the injurious influence it is likely to exert. We are anxious that the inhabitants of Fell's Point should not conclude from the favorable appearance of the disease, that its source has ceased to exist. We would impress upon them that a return to their homes before sufficient frosts have occurred to destroy the cause of the disease, and even after that desirable event, if a proper attention should not be paid to the cleansing and ventilation of their dwellings before they are occupied, will produce fatal consequences.

It has often happened at the conclusion of epidemic yellow fever, that an anxious desire to repossess the comforts of their own firesides, has caused many to forfeit their lives, the price of their imprudence.

West of Harford Run and the Falls every thing wears a favorable aspect. Some cases of malignant fever have been reported to the board of health as originating in the neighborhood of Federal Hill. We have ascertained but three cases marked with symptoms of malignancy at that place since our last report.

The gentleman whose case was reported in our last communication as originating on McElderry's wharf, we have discovered to have been an occasional visitor on Smith's wharf previous to his attack.

It becomes the pleasing duty of the committee to state that the necessity which hitherto prompted their labors has now ceased to exist. Our fellow-citizens have no longer any reason to dread the extension of the desolating disease into the healthy portion of our city. The favorable appearance of the weather, the busy hum of industry, and streets crowded with population, present happy presages of returning health and prosperity.

Emmels Martin,
James Page,
P. Macaulay,
Ezra Gillingham,
John B. Caldwell.

The above report was adopted and ordered to be published

ASH'ON ALEXANDER, Pres't.

J. B. CALDWELL, Sec'y.

INTERESTING CORRESPONDENCE.

Mayor's office, Georgetown, Oct. 8, 1819.

To EDWARD JOHNSON, ESQ. MAYOR OF BALTIMORE—

SIR—I have the honor herewith to enclose you a copy of the proceedings of a meeting held in this town on the 3d inst and take great pleasure, in pursuance of the tenor of the 4th resolution of said proceedings, to transmit to you the sum of seven hundred dollars—and, in the name of the citizens of Georgetown, to solicit that it may be accepted as a small token of their sympathy for that portion of your population which has been overtaken by a calamitous visitation—and that it be applied in meliorating the condition of the sufferers, under such regulations as may have been entered into, by the authorities of Baltimore, for their relief.

I avail myself of this occasion to assure you of my individual solicitude for the afflicted of your city; and sincerely hope and pray, the period of their distress is near its close.

Very respectfully, sir, I am your obedient serv't.

HENRY FOXALL,
Mayor of Georgetown

[Here follow the resolutions, with the names of the committees appointed from the several wards.]

City of Baltimore, Oct. 9, 1819.

HENRY FOXALL, ESQ., MAYOR OF GEORGETOWN—

SIR—With feelings that more easily occur to the generous mind than any language of mine can describe, I have the honor to acknowledge the receipt of your letter of yesterday, enclosing a copy of the proceedings of the warm-hearted citizens of Georgetown, with the result of their efforts to relieve the distress occasioned by the prevalence of a malignant disease in a district of this city, and have handed over to the treasurer of the commissioners appointed for this work, the seven hundred dollars enclosed. In the name of an afflicted people, who know how to estimate this act, permit me, through you, to thank the people of Georgetown for their distinguished liberality, and to offer up my warmest wishes to Him "who walketh in the pestilence," that he will take them into his especial keeping, and protect them from all evil.

And for yourself, sir, be pleased to accept our thanks for the very affectionate and feeling manner in which this noble charity has been transmitted by you.

Very respectfully, I remain, sir, your obe't serv't,
EDWARD JOHNSON,
Mayor of Baltimore.

Mobile, &c. Letters to the editors of the National Intelligencer announce the yellow fever, in its most malignant form, at Mobile. The whole population of the town does not exceed eight or nine hundred souls, but in the week ending at the date of these letters, *fifty six* persons died of the fever! It is well observed that "the plague cannot be worse than this." On the same authority, we are also informed that *Blakely* has been entirely evacuated on account of the sickness.

New Orleans—Fifty four persons are reported to have been interred at New Orleans in one day. It is probable that the whole white population of this city does not at this time exceed 8 or 10,000 souls.

Separation of Maine.

The convention recently elected by the people of Maine, for the purpose of forming a constitution, to be met at Portland on Monday last. The old practice of electing a *multitude* of delegates, has been adhered to in this instance—it was thought that the convention would consist of more than *three hundred* members. But we hope that the constitution will forbid such an assemblage. It is impossible that so many persons, so collected, can deliberate as they ought, and act, each man *of himself*, as he should. *Leaders* are, perhaps, indispensably necessary to get any sort of business done—and the principle and practice thereby introduced, are severely opposed to the representative system. Sixty or eighty members in the popular branch of the legislature of a state, from their great responsibility to the people, and the probability of a better selection, will manage its affairs more advantageously than six or eight hundred. Every electoral district, township or county, or whatsoever else it may be called, should be required to send a certain number of members, according to its population, which should be ascertained at certain fixed periods for the purpose of apportioning the representation; and every elector should be compelled to give his vote for such number of persons, neither more nor less, as are to be chosen in his particular district,—to avoid

the violation of right by what are called "plumpers" in Maryland—through which a *minority* may elect a favorite candidate, if more than one are to be chosen. We should be glad also to see a provision introduced into our constitutions, which, at stated times, should cast all the powers and authorities of government into the hands of the people, through their representatives specially chosen to continue, revise or amend the system adopted. Not however, to do what has been done in Maryland—to alter the constitution for the sole purpose of turning a man out of office!—but carefully to examine the whole and correct it, if correction is needful, with patriotic solicitude. How much injustice might we in Maryland have been exempted from, if we had had such a regulation as this! But our constitution has been so *inkered*, that we question if any man in the state, chancellor *Kitty* excepted, (who is very nice in those things), has a complete copy of it!—And it would take one of our best read lawyers several days to collect it together and tell us exactly what it is, in all its parts! These are serious truths, let people laugh at them as much as they please.

Pensions and Pensioners.

We have before noticed the declaration of a member of congress—(as honest and as good a man as ever held a seat in that body, and whose opinion is much respected by all who know him) that though for many years past, he had voted for every act that passed which was called *liberal* or *munificent*, he had now resolved never to vote for another. The apparent necessity for such a resolution is much to be regretted; yet we are pretty certain that the goodness of the gentleman's heart will seduce him again. The conversation which gave rise to his declaration had reference to some act of the government, designed to benefit deserving individuals, which had been almost wholly perverted to the profit of speculators and knaves. We do not recollect what act it was—but there have been several such.

This matter occurred to our recollection on reading the following in the "National Intelligencer:"

"The pension list of the United States is of a formidable length; and every day additional names are inscribed on it. We do not mean to quarrel with this, because we sincerely approved, when it passed, the principle and motives of the act for granting pensions to the survivors of the revolutionary war. But the number of these objects of national generosity, or, if the reader prefers it, of national justice, has far exceeded the calculations made by the venerable father of that measure, (gen. Bloomfield,) or by any of its supporters in congress. They calculated the utmost extent of the expenditure, which the act would produce, at *less than half a million*. It has already, however, risen to four times that amount; and the payment of pensions of all descriptions, (all being for military or naval services,) granted by the United States, now demands an expenditure of *nearly three millions* of dollars per annum."

We also, most heartily approved of the act alluded to; and it has comforted and sustained many legitimate objects of the nation's justice. But its provisions have been enormously abused. We see it mentioned that persons supposed to be worth from 10 to 20,000 dollars, have made themselves out to be *paupers*, to receive the benefits of it; and it was lately announced in a New York paper, that a certain pensioner had deposited the *whole amount of his pension in the savings bank!* This is an extraordinary

proceeding, for the pension is to last for life. It shews that this receiver of the public money, is not one of those that it was intended to have been given to.

Many persons to whom a pension might have been very convenient have not applied for it, under a conviction that it was only the *necessitous* that were intended to be relieved; but others, some thousands we fear, are receiving money which never was designed for them; and certainly it was not expected that they would make deposits in *savings* banks.

Eighteen hundred persons applied at the bank of the United States in Philadelphia, at the last pay day for their pensions—"they almost literally blocked up the court leading to the bank." A Boston paper of the 8th ult. gave us the following description of a scene that we would gladly have witnessed:

"A great number of old revolutionary pensioners are now in town: and have excited considerable interest in the public feeling. Yesterday, two of these veterans met in State-street, each of them upwards of 70 years of age, who had not seen each other for nearly forty years; their feelings can better be imagined than described. One of them was a drummer and the other a fifer, in the revolutionary army, who calling to mind their former friendship and employment, borrowed a drum and fife, and retiring into a back yard in State-street, played the reveille and other airs, which recalled to their minds the ardor which inspired their bosoms in the trying scenes of the revolution, the pride of which was not then extinct, and gave delight to the numerous persons who witnessed the interesting scene."

Mr. Walsh's new work.

An octavo volume, of more than 500 pages, has just appeared, entitled "*An appeal from the judgments of Great Britain respecting the United States of America. Part first, containing an historical outline of their merits and wrongs as colonies; and strictures upon the calumnies of the British writers.*" By Robert Walsh, jun."

The intention of this work may be well understood by its title. From the cursory view only that we have yet been able to take of it, we feel warranted in saying that it will be warmly received by every true-hearted American: by all who are sensible that they have a country and a character worth vindicating--by all who feel that degree of honest pride which causes nations and individuals to be respected. All that belong to us--our people and their manners, our country and its institutions, of every description, whatever belonged or appertained to America or Americans, have so long been the theme of favorite invective in the British parliament, journals and reviews, and with hireling book-makers, that we are glad a gentleman of talents--who has been praised by them, as Mr. Walsh was on account of some former products of his pen, has felt it expedient to make a regular repulsion of the calumnies which they have heaped upon us--to retard our progress in population, moral force, and political power. Our opinion about the *modesty* of Englishmen and Scotchmen is well known--they think that they have a "natural right" to teach us every thing, to prescribe what we ought to do, or to leave undone, no matter what the subject is--commerce, agriculture, manufactures, or ought or any of the arts or sciences, even if the things are local, and, from their very nature, cannot be understood by such liberal and enlightened men--some of whom, spewed out of their counting houses, which it was their honorable business to sweep the floors

of, assume a right to judge of our constitution, laws and manners, without having read or known what they were. They had understood that they were not altogether *English*, and this was enough.

The volume is filled with interesting facts and reflections, comparisons and remarks--with many extracts, (some of them very curious and important) applicable to the subjects treated of--and we hope that it will be extensively read by the *American* people. It brings many wholesome truths directly before us; and the most stupid admirers of "mother Britain," though they may shut their eyes to avoid the blaze of conviction, will feel its warmth and be compelled to acknowledge their errors.

We shall speedily notice Mr. Walsh's work more at large--we thank him for it, and will shew our gratitude by giving to it an honest celebrity, if we can. Literary gentlemen, who feel and act like Americans, under the present disadvantages which prejudice casts in their way, are as well deserving of praise for *patriotism* and *courage*, as they who, on the land or the ocean, uplifted the 'star-spangled banner' above the British cross.

Dangerous propensities and habits.

BRIEF HISTORY OF A BAD YOUNG MAN.—The practice of the editor of the REGISTER is to guarantee the safe carriage of money sent to him by the mails. No doubt, a few persons have taken advantage of this arrangement, to claim a credit for money that they never forwarded; but there cannot be many such, and the general safety of the conveyance (as we have found it to be) is gratefully acknowledged. But we do not always take it for granted that money said to be remitted was actually sent, in cases of loss; the character of the claimant is ascertained, and we are governed in our own conclusions as to the fact by his standing among his neighbors. If reported of as a gentleman, we patiently submit to the loss. These preliminary observations are necessary to explain the following transactions:

Several months ago, a person, signing himself "Edward Robinson, esquire," paid the postage of a letter to us, requesting information of the price of a complete set of the REGISTER, &c. The addition of "esq." to the name caused some risibility, mixed with a little suspicion of the sanity of the man's mind; but he was answered politely, and referred to a very respectable gentleman in his neighborhood to whom he might apply for a file, &c. After some time, a second letter was received, post paid and signed as before, pretending, that on a certain day he had enclosed certain bank notes to us, of certain numbers, marks and dates: all in ample order. He was then told that the money had not reached us, but that after making due enquiry into his character, he should hear from us again. Instantly on the receipt of this letter by him, he forwarded to us a certificate of his excellent standing in society, which was apparently signed by sundry colonels, majors, and esquires, &c. A few days after this certificate came to hand, a letter was received from our generous agent, stating that no such person as "Edward Robinson, esq." lived in his neighborhood. A trap was then laid to catch the impostor; one or two numbers of the REGISTER, addressed to "Edward Robinson, esq." were sent to the post-office directed, and the post-master, having honorably agreed to take a part in the affair, thus got hold of him, after much exertion and no little trouble, for he attempted to make his escape. He was found to be a young man who had been suspected of several acts of forgery and fraud, and he was committed to jail. His

letters, with the certificate he sent us, were forwarded—other persons put in their pleas for justice; and at a late general sessions for the county, he was brought up on five indictments, four for *forgery* and one for *burglary*, and plead guilty to them all; being so advised by his counsel in the hope of mitigating his punishment, for escape was impossible; but the judge condemned him to "hard labor in the state prison during his natural life." This happened in the state of New-York.

The young man was of a very respectable family, had received a good education, and was the joy of his now afflicted parents.

Editor's Correspondence.

Many gentlemen, when they forward the amount of their subscriptions for the "Register," honor the editor with an expression of their sentiments on various subjects. The following are extracts from letters that reached us last week; and we really believe that the *principles* approved of in them are becoming more general than most persons apprehended that they ever would be. Indeed, we have never despaired of the republic, nor for a moment believed that the people of the United States would long suffer acknowledged wrongs to exist.

No. 1. From a gentleman of Maryland.

"SIR—Enclosed is a five dollar bill of the bank of the U. S. the amount due you for my subscription to the "Register" for the present year. The money ought to have been sent to you a month ago, and I have now to ask your pardon for this delay in transmitting it.

"If I never receive another paper from your press—that which I last received would be full satisfaction for the sum now enclosed. Your "desultory remarks," in a letter to a "soldier of the revolution," are in strict unison with opinions which I have long entertained, and very frequently expressed: and although the principal part of my property consists of land, from the cultivation of which my family are supported, yet I am decidedly for a *direct tax*. The present mode of taxing *indirectly*, to say nothing of its inequality, is fraught with many other and greater mischiefs. The people are gulled by it; and their governors are thus schooled in tricks of deception and legerdemain. But can you entertain a hope of making these principles of yours, of the *good old republican stamp*, fashionable, in these days of profligacy and corruption? If you can bring about a change in the "public sentiment," so as to effect so desirable an object, you shall have my thanks and my co-operation too, feeble as it would be, in the bargain. You would, moreover, be entitled to the thanks and the gratitude of every genuine lover of civil liberty in this country.

The best way, in my judgment, to effect your purpose in this respect, will be to go on in your course against the banks and the whole "paper system." To that system can be distinctly traced all the political evils and pecuniary embarrassments now experienced in the country—from one end of it to the other. For upwards of twelve years have I been talking, and scolding too, occasionally, about the frauds and oppressions committed by banking institutions. This caused me to have many enemies among a *certain set of gentry*, who now, forsooth, because their deformities and their villainies are exposed to the light, begin to think that I was *half-right*.

There is not a doubt in my mind (the decision of our law luminaries to the contrary notwithstanding,) but that the erection of either a national or state bank is contrary to the constitution of the United States—that instrument not having conferred the power on the general government, and the power of a state to "emit bills of credit" being expressly prohibited. However, it is too late now to discuss that point. We find ourselves in the full possession of the evil, and we must get rid of it as well as we can. Only make the principles disclosed in your last "Register" fashionable, and the work is done. But, my good sir, you have "fearful odds" to contend against—the legislature, executive, and last, though perhaps not least, the judiciary—are all opposed to you. All the demagogues too, federal and democratic, are against you—not to mention whole tribes of bankers, brokers, slavers and scoundrels, with which the country is infested. However, persevere, I beseech you, in the goodly work. Perhaps, you may finally get the people on your side—the good honest yeomanry of the nation. I wish you success; and I confess I have some hope of it—always being of opinion, that truth and justice will ultimately triumph over falsehood and villainy. I could say much to you on this subject, and some others intimately connected with the national prosperity. I have neither time nor room at present to do it. Perhaps it is not necessary for me to do so, and perhaps you do not wish it. *I am no party man.* I am no office-seeker—of course, I am no parasite or sycophant. I am a plain, unlettered cultivator of the soil—sincerely attached to the pure and genuine principles of a free government; with sense enough, I trust, to understand my rights, and courage enough, I hope, when necessary, to defend them.

Very respectfully, your obedient servant,

P. S. What think you, about the arrangement of the U. S. bank as to the instalment lately due on the Louisiana debt? This is the first time I ever heard of a bank *borrowing* money; yet such is the effect of the arrangement. The bank charter does not authorise them to do this. But no matter for that. It seems that corporations may do whatever they are not absolutely *forbidden* to do. This is the slang now o'days. Why then, the superfluous work of granting them specific powers?"

No. 2. From a gentleman of Virginia.

"SIR—I have never paid the editor of a newspaper with more pleasure than I have ever paid you; and I now send you five dollars for the next year's Register.

I feel desirous of expressing my approbation of its course, but am afraid of occupying too much

*This P. S. contains an interesting query—which we shall, perhaps, attempt to answer at some future period. There is one thing however, belonging to this matter that we should like information on now.

The bank of the United States—(see present vol. of the REGISTER page 38)—has assumed the payment of the instalment of the Louisiana debt which lately became due. Has this *assumption* by the bank relieved the people of their *responsibility* on account of it? Are the evidences of the debt, as issued by the United States, cancelled by the new obligations of the bank, or has the government become an *indorser* for the bank. Will the editors of the "National Intelligencer," who first mentioned this arrangement, be pleased to let us know how the matter rests.

Ed. Reg.

of your time; permit me, however, just to observe, that for the part you have taken on the subject of banking, you deserve well of your country.

If other editors would unite in your laudable efforts, the evil policy, not to say unconstitutionality of banking, could be written down more easily than its interested friends are aware. I trust you will go on - the time may come when you may reap your reward."

No. 3. From a gentleman of Mississippi—extract:

"It is not worth your while, my friend, to com-

plain in Baltimore of miserable times, distress and unblushing fraud—Look where you may in this blessed country of our's, and you will find that "*justice is fallen in the streets and equity can not enter*;" and is there not a cause? It is not worth my while to make any comments or enquiries, as I believe a majority of *thinking people* know, from sad observation, that the pestilent paper system has done this.—I shall conclude this part of my scrawl, by addressing the advocates of petty banks in the words of a wise man—"How long ye simple ones will ye love simplicity, the scorned delight in scorning, and fools hate knowledge!"

Maryland Election—1819.

POSITIVELY REPUBLICAN.

COUNTIES, &c.	PROBABLE white population.	Members elected.		REMARKS.
		REP.	FED.	
Harford - - - - -	18,000	4	—	No opposition.
Baltimore - - - - -	85,000	4	—	Do.
— city		2	—	Do.
Anne Arundel - - - - -	15,000	4	—	Do.
Annapolis city		2	—	Do.
Washington - - - - -	20,000	4	—	Do.
Queen Anne's - - - - -	13,000	4	—	Do.

POSITIVELY FEDERAL.

Charles - - - - -	8,000	—	4	No opposition.
St. Mary's - - - - -	7,000	—	4	Do.
Somerset - - - - -	10,000	—	4	Do.
Montgomery - - - - -	10,000	*1	3	Contested—see note.

CONTESTED COUNTIES.

				Highest rep.	Highest fed.
Frederick - - - - -	35,000	2	2	2,930	2,958
Alleghany - - - - -	8,000	3	1	640	555
Calvert - - - - -	4,000	1	3	377	384
Prince George's - - - - -	14,000	2	2	775	750
Cecil - - - - -	12,000	4	—	1,031	1,005
Kent - - - - -	8,000	2	2	546	548
Talbot - - - - -	10,000	4	—	740	700
Caroline - - - - -	8,000	4	—	641	623
Dorchester - - - - -	13,000	—	4	950	1,081
Worcester - - - - -	12,000	4	—	1,052	1,015

The preceding table is compiled to shew how easily a minority may rule, (though the majority of the people now happen to have also a majority in the legislature), under the *liberal and just* constitution of Maryland! The city of Baltimore, sending two members to the general assembly, is divided into twelve equal wards; as to population or wealth, any two of these *wards* are superior to several of the *counties* of the state, which respectively send *four* delegates!—and the plain, undoubted republican majority in *either* of them, except one ward, (though that also is republican), if thrown into the *ten* contested counties, electing *forty* members, or one half of the members of the house of delegates, would *insure* the success of the republican ticket in every one of them!

WHITE PERSONS.

The positively republican counties contain about	:	:	:	:	:	:	151,000
federal	:	:	:	:	:	:	35,000
contested counties	:	:	:	:	:	:	124,000
							310,000

From this it also appears, that the republican counties, in which it would be entirely useless to attempt a federal opposition, contain only 8000 less white inhabitants than all the rest of the state.

*Though one gentleman on the republican ticket was elected, the county must be considered as decidedly federal. Highest on the republican ticket, except the gentleman elected, 745; ditto on the federal ticket, 803. But the *real* federal majority is probably much greater.

Literary studies of Youth.

MR. NILES.—With your indulgence I wish to add some further reply to the piece from the Albany Register, which opposes the proposed reform of the present plan of college education:—that is, to renounce the study of the dead languages; which, after the labor of ages to revive them, are likely to remain dead.

I have asserted that our scholars know less of Latin and Greek, when they are made masters of arts, than when they entered college. This my opponent admits, and adds that "this only proves their indolence and want of taste, and furnishes no argument whatever against the study of the languages." Singular logic, indeed. What! no argument against the study of the dead languages, if "scholars, generally, after devoting the greater part of six or eight years to them, are less perfect in them than when they had devoted half that time to them! And does it necessarily follow that the scholar, who does not advance in the knowledge of the dead languages, is indolent and wanting in taste? I think, sir, I have known many scholars who, from their aversion, neglected the dead languages, but were excellent in English studies,—such as mathematics, natural and moral philosophy, logic, rhetoric, history, and laws, natural, civil and divine—and in all that is essential to fit men for eminent usefulness. Are such scholars wanting in taste? No—their good sense revolted at the thought of spending their precious time and their money "in prying after a knowledge of the fictitious stories of heathen gods and goddesses. Many of these stories are extremely disgusting and obscene. It is true, as the EXAMINER in the Boston Patriot lately asserted, that "the love story of Æneas and Dido is thought to be so interesting to youth, that, without an accurate knowledge of all the minutiae of the advances of the female lover to entice the coy hero to her purposes, he cannot be fitted for his collegiate pursuits. Gods and goddesses playing as many pranks with each other as a parcel of boys and girls at school, might have been pleasant stories among heathens, but no way appropriate as the ground work of christian erudition. These fantastical displays of a poet's reveries are seriously recommended as classical studies for youth who are to become ministers of the gospel, and to those who are to exercise the important functions of magistrates and legislators of a christian community." But we are told that neglect of such studies is proof of the want of taste. The scholar who excels in Greek and Latin, doubtless, is the only true standard of taste.

"Profound in trifles, he can tell how short,
Were Etop's legs—how large was Tully's waist—
And, seal'd by Gunter, mark, with joy absurd,
The cut of Homer's cloak, and Euclid's beard."—Paine.

True, indeed, the scholars at college may be wanting in taste for the study of heathenish nonsense in the dead languages, and may lose much of the benefit they ought to derive from a collegiate life, in consequence of being drilled through studies for which they justly feel an aversion.

My opponent asserts that "there are many words and phrases in English which are derived immediately from the Latin and Greek, and cannot be fully understood without a knowledge of those languages." Indeed,—then those who know no other than the English language, cannot understand many words and phrases in this language. If this be true, all must know Latin and Greek in order to understand English. And, to go to the bottom, must we not know the languages from which the Latin and Greek are derived? We have words derived also

from the French and Hebrew, and other languages. Why not study these too, and the languages from which they are derived? The pretence of the necessity of knowing other languages to understand our own, is too preposterous for serious consideration. What! words in our own language that cannot be defined by our own language! I would to God that all such words were expunged from our language, and that we should take measures to prevent the introduction of any more words of the same sort. Are there such words and phrases in our constitutions and laws, in our religious creeds and formularies? Very convenient, indeed, to answer the designs of law-craft, priest-craft, and every other craft, subversive of the best interests of man. Have we any need of such words and phrases as cannot be understood without the aid of Latin and Greek? If so, what are they? Do give us a few specimens of words or phrases that cannot be defined by our own language. Locke, Newton, Addison, Burke, Curran, Franklin, Washington, Dickinson, and others, were able to express their ideas in our own language. These authors have treated on the great laws of matter and intellect, on the most important and useful arts and sciences, and are read with great benefit and delight by millions who know nothing of Latin and Greek. My opponent admits the fact, that several of the most distinguished writers, philosophers and statesmen, whom either our country or the world can boast, owed not their excellence to the study of the dead languages. He supposes, however, that "with the same advantages of an early classical education, Franklin and Patrick Henry might, perhaps, have rivalled Newton and Burke. I am not sure that Franklin and Henry have not out rivalled Newton and Burke, as benefactors to mankind. The learning which qualifies and engages men to be most useful, is the most excellent of all learning. Newton ascertained the laws by which the magnitudes, distances and orbits of the heavenly bodies are measured—Franklin has immortalized himself by the discovery of the laws of electricity, and by that divine philosophy which has greatly contributed to make a nation free and great, and to set an illustrious example to the world of the wisest and happiest government ever devised by man. Whatever were the attainments of Newton or Burke, Milton or Pope, there is no evidence that they owed these to the study of Latin and Greek, or that they might not have been equally great without such study. And it is remarkable, that among the vast numbers educated in these languages, so few have risen to eminence as men of erudition; and that they have been excelled by so many favored with inferior advantages.

My opponent says, "but it is sufficient for my purpose, that a vast majority of the most distinguished writers, philosophers and statesmen, both in our own and other countries, have been well versed in ancient literature." Does it follow that their being versed in ancient literature made them distinguished writers, philosophers and statesmen? Let us try this sort of logic. A vast majority of the most distinguished writers, philosophers and statesmen have worn the black gown—therefore, the wearing of the black gown was necessary to make them the most distinguished writers, philosophers, &c. The fact is, the facilities to acquire great erudition have been almost exclusively devoted to those drilled in the dead languages; and the plan has been so contrived as to exclude almost all others from those professions which foster scientific enterprise. We have scarcely an institution where the branches of literature and science of the first order

taught, without first passing the ordeal of the dead languages. This discussion is pursued, not merely to baffle my opponent, but with a higher aim—to call the attention of the public to the importance of divesting the plan of education of those impositions which, as I believe, obstruct the progress of the useful arts and sciences, and endanger the liberties of this rising republic.

In the words of the excellent Dr. Rush, I, at present, conclude—"What is the history of the ancient fables, but an agreeable description of frauds, rapes and murders—which, while they please the imagination, shock the moral faculty? It is high time to cease from idolizing the idolatry of Greece and Rome. Truth alone is knowledge; and spending time in studying Greek and Roman fictions is only laboring to be more ignorant. Happy will it be for the present and future generations, if an ignorance of the Latin and Greek languages shall banish from modern poetry those disgraceful invocations of heathen gods, which indicate no less a want of genius than a want of reverence for the true God."

A FRIEND TO LITERATURE.

Naval Examinations.

FROM THE NATIONAL INTELLIGENCER.

The New York papers inform us, that the board appointed by the secretary of the navy to examine the midshipmen who are candidates for promotion, met on board the Washington 74, on the 4th instant. The board is composed of com. *Rodgers*, com. *Bainbridge*, com. *Chauncey*, and the rev. Mr. *Felch*. The character of the three officers selected to compose this board, shews of what importance this regulation, recently introduced, is considered to the character of the navy. This is the 1st time a board of this description has met. On looking into the "rules, regulations, and instructions for the naval service of the United States," for the origin of this board, we find the following, under the head of appointments:

"5. A midshipman, before being appointed to the rank of lieutenant, must be eighteen years of age, have served at sea two years, be acquainted with the manner of rigging and stowing a ship, the management of artillery at sea, arithmetical, geometry, trigonometry, and navigation. He must also know how to make astronomical calculations for nautical purposes, and pass an examination on all those points before a board of navy officers, to be appointed by the secretary of the navy for that purpose; by whom the morals and general character of candidates will be enquired into.

6. Candidates for examination and promotion, are to send in their applications to the secretary of the navy, on the 1st day of October, and on the 1st day of March, every year; and they will be informed of the place or places where examinations are to be held, either by letter or through the medium of the public prints."

The code, from which the above rules are extracted, has been prepared by the board of navy commissioners of the United States, with the consent of the secretary of the navy, in obedience to an act of congress, passed 7th February, 1815, entitled "an act to alter and amend the several acts for establishing a navy department, by adding thereto a board of commissioners."

This regulation is but one of many which appear to be admirably adapted for the promotion of regularity, efficiency, responsibility, and economy in the navy. If leisure serves, we will hereafter take a more general notice of this code of rules, which has been prepared with great labor and carefulness,

by men, whose judgments have been matured by long experience, and whose professional character needs not our praise.

Jurisdiction of the State Courts.

From the New-York National Advocate.

The following important law case was lately decided by the supreme court of New-York, in August term, 1819.

The United States vs Dyer Lathrop.—This was an action of debt for the penalty imposed by an act of congress, passed 2d of Aug. 1813, "laying duties on licenses to retailers of wines, spirituous liquors and foreign merchandize." The defendant was charged with retailing one gill of brandy, without having applied for and obtained a license, &c. in manner as by said act is prescribed. The defendant interposed a "plea in abatement to the jurisdiction of the court," to which plea, the attorney in behalf of the United States, filed a demurrer.

The cause was argued in the city of New-York in October term, 1818, by Jonathan Fisk, esq. district attorney for the United States in support of the demurrer, and Isaac Hamilton, Esq. for the defendant.

The principal question discussed on the argument was, in substance, *whether the laws of congress conferring the power, or imposing the duty upon the state courts, to entertain jurisdiction in such cases, were constitutional or not?*

The court, after having held the case under advisement, until the last term at Albany, rendered judgment for the defendant. But as the report of the case at length, with the opinions of the judges (which are unquestionably written with great ability) will shortly appear in Johnson's reports, all further statement thereof is at present omitted.

This case has been well considered, and this great national question, so long and so much agitated in other courts—in congress, and in the public journals,* and elsewhere, has been at length determined in this state, and it may now be considered as settled, (at least in the state of N York,) that our courts will not enforce the penal laws of congress, nor consider themselves as "inferior courts of the United States." in the sense of that term, as used in the federal constitution. It is believed that the reasons for this opinion of the court, when published, will meet with an almost universal assent. It is understood, also, that in the courts of several of our sister states, (particularly Virginia, Pennsylvania, Maryland and Ohio,) opinions have been delivered in accordance with this judgment of our supreme court. It is believed, too, that the supreme court of the United States entertain a similar opinion. However this may be, it is peculiarly gratifying and satisfactory, that a question of such delicacy and importance, should have been presented to this court, and settled at this time; a time of profound peace, when neither the bustle and danger of war, the rancorous spirit of party, nor governmental partialities could, (if indeed such considerations ever could,) have any influence upon the decision of the court.

The principles involved in the decision of this question are perhaps among the most important and interesting, that have ever been discussed and settled, in this court, since the federal constitution; inasmuch as it involves not only the inquiry whether the law of congress be constitutional or not, but also how far a state court has a right to declare such a

* See 14th and 11th vols. Niles' Weekly Register.

law unconstitutional—it has by many been deemed incongruous that the state courts should possess such a power. And the spectacle lately exhibited before this people, has indeed been somewhat singular. It is but a few months since the supreme court of the union, at the city of Washington, solemnly determined in effect, that the whole system of insolvent laws (which had existed for a series of years, and had received the sanction of a succession of legislators and counsellors) of this state, were unconstitutional and void. Now we behold the supreme court of this state, sitting in judgment upon a law of the congress of the union, and solemnly declaring such a law to be unconstitutional and void. It has been supposed, that the exercise of this power by the different states, under a federal head, would have a tendency to create discord and contention between the different state governments themselves, and also between them and the general government, arising from collisions and differences in the opinions and judgments of their respective courts, from which nothing short of anarchy, rebellion and despotism must inevitably ensue, but a little reflection must satisfy every rational mind, no cause of alarm need be apprehended from such sources; the supreme court of the union having the power of reviewing on appeal, a writ of error, every decision of the courts of a state, upon every question, arising under the laws or constitution of the United States, cannot fail to produce in the end, a uniformity of decision on every question of that sort. This spectacle, therefore, singular as it confessedly is, presents to the view of the writer, a system of jurisprudence most wonderfully and beautifully harmonious, growing out of the peculiar structure of our combined federal and state governments, which thus combined, form our general system of government, emphatically termed a *government of laws*. And the exercise of the rights by the several courts, of thus determining on the constitutionality of the laws, will, more than any thing else, tend to the security of the rights and liberties of this people, and the strength and perpetuity of our excellent form of government.

PARSONS.

Cession of Parga.

"A TALE OF TERROR" AND OF BASENESS.

The following details one of the most interesting and affecting incidents that modern history affords.

From the New-York American.

An affecting recital of the circumstances under which the devoted inhabitants of Parga have recently abandoned their territory on its cession to the Turks, has been latterly published. We now subjoin some remarks in explanation of the previous condition of the Parguinotes, and of the abhorrence manifested by them to Turkish domination; which, together with a description of Parga, will put our readers in possession of the leading facts connected with this event.

This small (but for the noble nature of its inhabitants) insignificant territory, has long been an object of desire to its ferocious neighbor, Ali Pacha, who has in vain tried corruption and threats* to prevail on the Parguinotes to accept of his protection. After being held successively as an appendage to the Venetian, the Russian, and the French empires, Parga, in March, 1814, passed into the hands of the

English forces, then occupying the Ionian islands. Too weak to resist, by their own means, the unceasing efforts of Ali Pacha to enslave them, it was the policy of the Parguinotes to seek the protection of the power which might happen to predominate in that quarter, and thus most effectually secure them from that of the Pacha; and it was in accordance with this policy that they threw themselves into the arms of general Cambell, then commanding the British troops at Zante; and from that time, until March, 1817, considered themselves, and were considered by the world, as forming an integral part of the Ionian republic. Their old and inveterate enemy, Ali Pacha, had art enough, however, to induce the sublime Porte to require, as an equivalent for its accession to the treaty of Paris, placing the Ionian islands under the British protection, the surrender to him, Ali Pacha, of his long coveted possession; and the British government had the—baseness, shall we not call it? to make this sacrifice to expediency. The manner of it, has been in discussion from that time to this, but it is now finally consummated, and by the intervention, as it is stated, of 700 purses, paid (whether to the British government or general is uncertain) by the rapacious and impatient Turk. But we can say nothing so strong or so eloquent ourselves, as to the infamy of this transaction, as the following notice of it from the *London Times*—

"We wish that our duty would permit us to withhold from publication the following narrative: how devoutly, alas! how vainly, we have deprecated, while it was yet undone, and how deeply we have deplored, after its terrible consummation, the tragedy recited in these few affecting lines, our readers will we trust, bear witness. The fate of Parga will carry down with it a stain upon the British character, which no military triumphs nor public splendor can obliterate. No age of barbarism ever yet laid bare more cruelty than has been practised in cold blood upon this unhappy people. Nor did the most heroic ages display in any race of human sufferers a loftier patriotism, or a nobler energy, than in the inhabitants of what once was Parga, at the moment when they quitted it forever. Being told that Turks were to enter their territory before the time fixed for their embarkation, the male inhabitants announced their unanimous purpose to *put to death their wives and children*, and then wage boldly an indiscriminate conflict with their Christian betrayers and their Turkish persecutors, if a single Mahometan soldier should set foot upon the soil before they had safely left it. This was seen to be no idle threat. They prevailed over the fears of the protecting government, though they had not moved its pity: the Ottomans halted on the frontier. In the centre of a large square were collected by the people of Parga the remains of their buried ancestors. When the bands of Ali Pacha reached the walls, no complaint was heard, no weeping, no curse, no murmur. The city received its infidel garrison as Babylon or Palmyra salutes the Christian traveller in the desert—nothing breathed, nothing moved; the houses were desolate, the nation was extinct the bones of the dead were consumed to ashes. Yet this we are informed, was a sacrifice to 'expediency!'"

FROM A LONDON PAPER.

Evacuation of Parga.—Letters have been received from the Ionian Islands, dated in the beginning of June, detailing the events which took place on the cession of Parga to the Turks. We collect from them the following particulars:—By sir T. Maitland's orders, the officer commanding the British garrison at Parga made known to the inhabi-

*In 1798 he took Prevesa, a neighboring town, and slaughtered part of the inhabitants in cold blood, professedly to intimidate the Parguinotes.

tants that, in conformity to arrangements with Ali Pacha, a Turkish force was to enter their territory without delay, but that the English troops would remain for their protection along with the Turks, until they were able to arrange all their affairs, and complete the emigration.—On receiving this intimation, which was confirmed by the approach of an Ottoman force, the Parguinotes having held a consultation, sent to inform the commandant, that as such was the determination of the British government, they had unanimously resolved that should one single Turk enter their territory before all of them should have had a fair opportunity of leaving it, they would put to death all their wives and children, and afterwards defend themselves against any force, Turkish or Christian, that should violate the pledge made to them, and that they should fight until only one should survive to tell the story.—The English commandant, perceiving by their preparations that this resolution was irrevocable, instantly despatched information to sir Thos. Maitland at Corfu, who sent gen. sir Fred. Adam to expostulate with them.—That officer, on his arrival at Parga, observed a large fire in the public square, where the inhabitants had heaped together the bones of their ancestors, collected from the churches and cemeteries. All the male population stood armed at the doors of their respective dwellings; the women and children were within, awaiting their fate; a gloomy and awful silence prevailed. A few of the primates, with the Protopapa at their head, received general Adam on his landing, and assured him that the meditated sacrifice would be immediately executed, unless he could stop the entrance of the Turks, who had already arrived near the frontier, and effectually protect their embarkation and departure. Fortunately sir F. Adam found means to prevail on the Ottoman commandant to halt his force. The Glasgow frigate, capt. Maitland, which had been sent from Corfu, having arrived, the embarkation commenced, and all the Parguinotes proceeded, under her protection, to Corfu. The Turks, on their entrance, found Parga a desert; and the only signal that marked their reception, was the smoke of the funeral pyre, in which its late inhabitants had consumed the bones of their forefathers. The unfortunate emigrants are now principally at Corfu, waiting, as houseless wanderers, the distribution of the miserable pittance of 48*l*. per head, obtained for them by their protectors, which is to be called a compensation for the loss of their property, their native soil, and social existence. Thus has closed the memorable negotiation in a scene of calamity, which the most lively imagination could not have anticipated; but which, unless some new enormities shall have effaced the recollection of it, will rouse against the council and councillors of this empire the antipathy and indignation of mankind.”

FROM THE BRITISH MONITOR.

Description of Parga and its inhabitants.

“Parga is a small town on the coast of Epirus surrounded with walls, and built on a conical rock, the base of which is washed on three sides by the sea; it is thus situated between two bays, which afford landing places for the shipping of the country. This fortress is crowned by a sort of citadel, where the commandant resides. It embraces a magnificent prospect, including, on one hand, the whole territory of Parga and the mountains of Albania, by which it is bounded. From east to west, in a southerly direction, the eye ranges over a part of the Ionian sea; on the left are seen the isle of Santa Maura, and the promontory from whence Supho-

terminated her woes. Further on appear the mountains of Cephalonia; and on the right, at the distance of 12 miles, are the islets of Paxo and Antipaxo. The territory of Parga extends only two or three miles round the city, and the population amounts to between 3 and 4,000 inhabitants.

“This small country is backed by a steep mountain, which separates it from the dominions of Ali Pacha.

“Parga has always been considered as an integral dependency of the Ionian Islands, and as a military post of great importance to them, and in particular to Corfu, of which it is called the ear and the eye. The Parguinotes profess the Greek religion.

“At an epoch anterior to 1400, the chief place of the country of the Parguinotes, was situated beyond the limits of the actual territory of Parga, upon the mountain which overlooks this small country, at the spot now called Palco-Pargo, which still exhibits the ruins of a church and of some dwellings.

“The anarchy and disorder which prepared the fall of the lower empire, invincibly the Parguinotes to fix their abode in a place less exposed to the incursions and insults of their neighbors: they abandoned their habitations, and, availing themselves of the advantages offered by nature, built a new city on the rock, where the fortress of Parga now stands, from whence they might fearlessly contemplate the efforts of their enemies.”

Concerning this matter, the *Petersburg Intelligenceur* has the following just and spirited remarks.—“We have seldom read a more affecting narrative, than that which is given in to-day's paper, of the circumstances under which the inhabitants of the little territory of Parga abandoned their homes to seek a new country. If any thing can add to the abhorrence with which posterity will read the history of the reign of George the third, this occurrence recited in the same page which shall record the cruelties of the British government in Ireland and India, will stigmatise the memories of all concerned to “infamous perpetuation.”—The fate of Parga will carry down with it a stain upon the British character, which an hundred *Waterloo columns* cannot outweigh, and which no time can obliterate. To offer first to protect, then to receive, and finally to sacrifice, is treachery of a treble die. Nor were the English authorities unaware of the enemy against whom the unhappy Parguinotes sought their protection—they knew that *Ali Pacha*, the ferocious governor of the Turks their neighbors, had attempted first to cajole and then to threaten them—Yet it was to this same Pacha that the English transferred—the territory—not the *people*, for they possessed souls that would not brook being sold, like beasts, for so many Turkish piastres per head. And all this, it is said, was a sacrifice to expediency—it was done to propitiate the grand seignior, to ensure the accession of the Turks to the treaty of Paris—the Turks, those pests of society, who demolish every thing, but build up nothing.”

What a treasure do the people of these states possess, in that article of the constitution which forbids the transfer of any portion of the republican territory to a foreign state! Otherwise in future time, our children might be deprived of the precious heritage we leave them, and compelled to abandon their homes, as did the Parguinotes, to the possession of a merciless, unchristian foreigner.”

“A celebrated writer of the 15th century, commences an article thus: “the Turks have encamped in Europe,”

Tobacco Trade.

FROM THE VIRGINIA PATRIOT.

A table showing the exports of tobacco from the United States, and current prices of Virginia tobacco, from 1800 to 1818, inclusively.

YEAR ending 30 Sept.	HDS. EXPORTED TO			PRICES IN L ^{rs} P ^{ts} L ^d	
	All parts	Eng ^l d	France	in October,	
				Leaf.	stem ^d
1800	78,680	7,798	143	3 to 7d	5 to 9d
1801	103,758	35,256	5,006	2½ 6	5 7
1802	77,721	29,938	16,216	3½ 6½	4½ 6½
1803	86,291	57,829	9,815	3½ 7½	5½ 8
1804	83,343	24,700	14,623	3½ 6½	6 8
1805	71,152	18,196	12,135	3½ 6½	6 8
1806	83,186	26,272	9,182	3 6½	6 7½
1807	62,232	28,047	2,876	3½ 7	6 8½
1808	embargo	:	:	11½ 15½	14 16½
1809	53,925	8,965	none	6 14	12 14
1810	84,134	24,067	none	2 7	5 7
1811	35,828	20,342	569	2 8	5 8
1812	:	war	:	3 10	5 9
1813	:	do	:	5 20	11 17
1814	:	do	:	24 48	42 48
1815	85,198	:	:	8 16½	13 16½
1816	69,721	:	:	5½ 13	9 13
1817	64,891	15,858	9,892	5 9	8½ 10
1818	84,337	28,436	6,569	6½ 12	10 12½

For the eleven years preceding the war of 1812, (excluding the year 1808) the average annual export was 74,567 hds. the average price in Liverpool for leaf, 3½ a 7d. and in London, 4 a 7½d. per lb. For the four years since the war, the average and annual export has been 76,037 hds. and prices in England, as well as other markets, have been unsettled and extremely fluctuating, owing to the interruption occasioned by the war to the regular course of trade, the deranged state of the currency of Europe and this country, and other causes, which time only will correct. The trade in these four years has, consequently, been hazardous.

The exports of tobacco from the United States, in the years, ending 30th September, 1817 and 1818, were:

	YEAR 1817.—YEAR 1818.	
	hds.	hds.
From New-Hampshire	26	12
Vermont	22	3
Massachusetts	3,690	3,416
Rhode-Island	995	202
Connecticut	76	23
New-York	9,921	7,764
Pennsylvania	3,050	2,269
Maryland	8,988	12,681
District of Columbia	1,987	2,813
Virginia	16,979	24,736
North-Carolina	1,349	1,235
South-Carolina	1,323	1,973
Georgia	2,034	3,070
Louisiana	14,451	24,138
Michigan	none.	2
	64,991	84,337

	YEAR 1817.—YEAR 1818.	
	hds.	hds.
To England, Man & Berwick,	14,858	28,436
Scotland	663	1,907
Ireland	1,933	3,097
Guernsey, Jersey, Sark, and Alderney	0	61

Holland	10,803	*22,293
Hanse Towns and ports of		
Germany	5,707	9,172
French ports on Atlantic,	8,927	6,096
Do. do. Mediterranean,	965	473
Spanish ports on Atlantic,	2,915	1,430
Do. do. Mediterranean,	137	446
Gibraltar	6,807	5,965
Italy	868	376
Portugal, Fayal and other		
Azores	341	80
Russia	49	98
Sweden	449	874
Denmark and Norway	539	521
Turkey, Levant and Egypt,	28	95
British West Indies	1,229	548
Dutch W.I. & Am. colonies,	454	170
French do. and do.	1,424	271
Spanish do. and do.	841	318
Danish West Indies,	880	158
Swedish do.	113	6
Haiti	0	95
West Indies, generally,	1,207	444
British American colonies,	134	167
Floridas	53	31
Dutch East Indies	7	0
British do.	0	26
Asia	22	0
Bourbon and Mauritius	59	0
Europe, generally	586	171
Africa do.	213	151
N. W. coast of America	84	30
Tencriffe & other Canaries	192	195
Honduras, &c.	34	22
Cape de Verdes	145	52
Brazil	37	63
Trieste	0	8
Madeira	183	0
	64,891	84,337

CONDENSED VIEW.

YEAR 1817.—YEAR 1818.

	hds.	hds.
To England, Ireland, Scotland, &c. (as detailed above)	18,454	33,501
Holland, Hanse Towns and		
Germany	16,510	31,465
France	9,892	6,569
Spain, Portugal & Gibraltar	10,200	7,921
West Indies, Dutch, Span- ish, French and Ame- rican colonies	6,206	2,042
All other parts	3,629	2,839
	64,891	84,337

FROM THE NORFOLK BEACON.

Exports of tobacco from the United States, for the year ending 31st December.

	hds.	
1791,	101,272	} 5 years.
2,	112,428	
3,	59,947	
4,	76,826	
5,	61,026	
	411,000	—Average 80,000
6,	69,018	} 5 years.
7,	58,167	
8,	68,567	
9,	96,070	
1800,	78,680	
	370,000	—Average 74,000

*Chiefly Kentucky and Maryland.

1,	103,758	} 5 years.	
2,	77,721		
3,	86,217		
4,	83,343		
5,	71,252		
		422,000	Average 84,000
6,	83,186	} 5 years.	
7,	62,282		
8,	9,576		
9,	53,221		
1810,	83,119		
		292,000	Average 58,000
11,	85,328	} 6 years,	
12,	26,094		
13,	5,314		
14,	3,125		
15,	85,198		
16,	69,721		
		225,000	Average 37,000

Rapids of Tallulah.

FROM THE GEORGIA JOURNAL.

During a late excursion through the northern frontier of Georgia, I visited a number of natural curiosities, such as the falls at Ivy, in Seque, and the rapids of Tallulah. This latter object is almost unknown to any person beyond its neighborhood—it however merits to be known and admired, as one of the greatest curiosities in the U. States. For the information of those who delight to know of the extraordinary exhibitions of nature, I will describe to you the rapids of Tallulah. This stream is by the Cherokee Indians called in some places Tarrurah; at other places Tallulah. It is the western branch of Tugulo river, and the rapids are situated about 10 miles above its junction with Chattuga river, which is the eastern branch of Tugalo. Mr. Sturges has entered this river in his map of Georgia by the name of Turoree, which is a very different pronunciation of the name from any I heard from its neighboring inhabitants. The rapids of Tallulah are about 10 miles north-east of Habersham court house, (or the place appointed for its temporary location); at this spot the river passes through a range or ridge of mountains for somewhat more than a mile, forming for its bed an awful gulf, and for its banks stupendous fronts of solid rock, like those of the Niagara just below its great cataract, and of the Genesee river, below the fall in that stream, a few miles above lake Ontario. These banks of Tallulah are worn by its water in many places into caverns and grotesque figures, and often the sides are perpendicular and smooth, beyond the means of art to imitate. Just at the head, and also at the foot of the rapids, the banks of Tallulah river are not more than ordinary height above common water-mark. In the intermediate distance, the height of the banks varies from 200 to 500 feet perpendicular. The width of the river is from 15 to 100 feet. There are four perpendicular pitches of water, of from 50 to 80 feet, and a great many smaller cataracts of from 10 to 20 feet perpendicular pitch. I am confident, that within the extent of the rapids, say a mile, the fall of water is not less than 300 or 350 feet.

The distance and measure I have given are by estimation, for I had no means of accurate computation; but the distances stated are the minimum estimates of the company who were with me, (consisting of four respectable and intelligent persons.) There are but two or three points by which a person can possibly descend to the bed of the river, and these are the tracks of small rivulets, emptying

themselves into the river on the west side, and making several very steep precipices, down which one may possibly pass by aid from the shrubbery that grows in the hollows. When arrived at the water's edge, to look out at the opening of the great cliffs above is surprising, interesting, alarming! These cliffs, combined with the foaming, roaring, bounding, impetuous current of water, exhibit novelty, beauty, and grandeur, in the greatest degree.

The first impression on the mind of the visitor as he approaches so near to the edge of the precipice as to get sight of the water, is alarming yet inviting; awful yet grand and sublime. At the instant he views the current some hundred feet below him, he shrinks back in apprehension of his destruction; still curious to view it more, he cautiously advances again, till, by degrees, he becomes so familiar to the scenery as to be dissatisfied from it. At every step the visitor observes some new dress that adds new interest to the scenery. But there is no tinselled ornament on the banks of Tallulah. In a wild, uncultivated and barren country, no art has been introduced to deface this grand exhibition of nature. Its neighborhood is inhabited only by ferocious beasts of prey, bears, wolves, and wild cats and soaring eagles, and fairy people*; and has scarcely been visited, until very lately, even by the adventurous huntsman and his hounds. Sculptured chasms and fronts, elevated portals, formidable stockades, impregnable fortresses deep perpendicular cascades, and successive bounding currents, added to the many rainbows that continually shine (when the sun does) through the spray that rises from the falling water, and the variegated colors in the front of the rocky banks of red, white, yellow, and brown, and the small rivulets that pour down into the gulf from the mountains top, give novelty, beauty, sublimity, and awe, to the Rapids of Tallulah. Here the bare curiosity of a visitor may perhaps be satisfied in a week; but the intellectual appetite may be feasted for—an age.

The cataract of Niagara and its great whirlpool and banks, is the only superior natural curiosity to the Rapids of Tallulah, that I have ever seen. From the summit of a mountain on the west bank of the

*In the face of the rock forming the banks or bounds of the river are several caverns. One of these, in the east bank, about 50 feet below the summit, and 300 feet from the water, in the perpendicular face of the rock, has a door or entrance apparently six feet high and four feet wide, and near it a smaller aperture, about two feet square. This spot is inaccessible, but its exterior is plainly in view from the opposite bank, and seems to be as neatly executed as art and the chisel could effect. Concerning this cavern is an interesting Indian tradition, that was related to us by those who had been speakers in their councils: "A tribe of little Indians, often visible, but intangible, made occasional visits to the neighboring Cherokees, and carried of their women and children. These marauders were attempted to be entrapped, but in vain: they were at length closely pursued and seen to take refuge in the cavern of which this was a door, where no efforts of the captives' friends were ever able to relieve her, nor ever again able to get sight of her." This story, or some other circumstance, has made such an impression on the tribe, that no full-blood Cherokee can be persuaded even to hunt near the Rapids of Tallulah.

river near the lower fall, is the finest general view afforded on that side of the stream; and from several cliffs on the east bank may be had an extensive and highly interesting general view of this enchanting scenery. One objection to this picturesque spot is, the great prevalence of the severest kind of thunder storms; this I would suppose to prove the presence of some attractive mineral in the banks of the river. I saw great numbers of trees around the falls that had been splintered to pieces at different times, by lightning. My companions were with me in one of these storms. The cloud came up almost instantaneously and unobserved, black and dreadful in its aspect. The "red artillery of heaven" played rapidly and most tremendously around us. Quick as thought peal followed flash, and all was tempestuous. Proud pines and humble hollies bowed submissive to the jarring element. The successive peals of thunder seemed to strike against the front of the great rock that forms the banks of the river, and rebounding into opposite caverns and chasms, each to repeat its own echo.

DAVID P. HILLHOUSE.

Geology of the West,

BY C. ATWATER, ESQ.

FROM THE (MANSFIELD, OHIO,) OLIVE.

I perceive in the journal of science, an essay of mine on the prairies and barrens of the west. I have collected some additional facts, which go to establish my speculations as to this country's being formerly covered with the waters of the upper lakes; and that their outlets were thro' the Scioto, Miami and Illinois rivers. On the rocks of Mackinaw island, I am credibly informed, their are marks of the water of the lake, in which that island is situated, having once been at least one hundred feet above its present level. All around the present shore of lake Erie there are two distinct ridges, composed of exactly such pebbles as are now seen on the present shore of the lake, founded by attrition in water. At Ridgeville, Cuyahoga county, Moses Eldred, esq. writes me, that nine miles south of the present lake shore, in digging a well at some considerable depth below the surface of the earth, cedars were found and other things; evincing that the ridge, in which the well was sunk, was once the shore of Lake Erie. One gentleman informs me, that three hundred feet above the present surface of the Erie, petrified fishes, frogs, trees, &c. have been found in these ridges, presenting appearances similar to those found along the present shore. Permit me to mention another fact, in confirmation of an opinion as to Lake Erie and the Ohio being about on the same level. Eli Baldwin, esq. has taken levels of the country between Lake Erie and the Ohio river, from the mouth of Grand river to the mouth of the Mahoning or Big Beaver, and by actual measurement, the surface of the Ohio, at that point, is seventy feet higher than the surface of Lake Erie. The surface of the lake has been ascertained to be 558 feet above tide water at Albany, which gives 628 feet for the height of the Ohio, at the mouth of Mahoning, above the surface of the ocean, and shows that the average descent of the Ohio and Mississippi is about four inches to a mile. It proves also that my conjectures as to the Ohio, in a freshet at Portsmouth, and Lake Erie, being about on the same level, cannot be far from the truth. If the surface of Lake Erie were raised only 100 feet, it would now empty itself into the Ohio: that it has been much higher, I do not doubt.

Foreign Articles.

GREAT BRITAIN AND IRELAND.

Stocks, Sept 2, —5 per cent. consols 71 1-8.

It is said there have been no fewer than 50,000 applications made to the colonial office to proceed to the Cape of Good Hope

A London paper informs us, that the mint coinage is performed with uncommon rapidity: a press produces 3,600 pieces per hour, which for ten working hours makes .6,000; of course the eight presses (the number employed) strike off .88,000 pieces daily, in shillings or sixpences as may be required, in a finished state.

His royal highness the prince regent has directed lord Sidmouth to express his entire satisfaction to the civil magistrates and military, for their proceedings at Manchester, on the 16th of August.

The great Westminster meeting was held on the 2d Sept. with sir Francis Burdett at their head, to deliberate upon the conduct of the magistrates at the late Manchester affair. The meeting assembled at 12 o'clock, with music, flags, placards, &c. and before 3 o'clock it was calculated that 30,000 persons were present. Sir F. Burdett took the chair, and addressed the multitude. Among a number of observations, he said he hoped "the expression of abhorrence against the violence, and bloodshed, and murders at Manchester would be unanimous; and that every man of honor would feel himself bound to vindicate the outraged liberties of the nation. They were to decide *whether they were to be permitted to breathe the air, and wear their own noses, without the permission of our weak ministers.*" He asserted that the arrest of Hunt was illegal, and that he had conducted himself, throughout, with wisdom and propriety. He was followed by Mr. Hobhouse, and major Cartwright, who concluded by moving an address to the prince regent, and the meeting broke up peaceably and orderly.

It appears that the high bailiff of Westminster had refused his assent to the proposed meeting of the people, on which the following placard was stuck up about the metropolis—

"Britons to arms—England expects every man to do his duty. Fellow countrymen, a meeting will be held at the palace yard on Monday next—Sir F. Burdett in the chair.

Mr. Kean, the celebrated tragedian, is about to visit the United States to carry off a little of our spare cash.

There have been extensive failures on the stock exchange, one person was a defaulter to the amount of between 600,000 and a million of pounds! The total number of failures and defaulters amounted to more than forty—one of whom had absconded with a large sum, &c.

M. Hunt. We have a long account of the second examination of Mr. Hunt and his companions. It is farcical enough—though charged with high treason and many other most heinous crimes, the whole were admitted to bail, with securities at from 1000 to 250l each! But previous to their release, they were sent to Lancaster castle; after leaving it they went to Manchester, where a vast crowd of people immediately assembled, and some of them performed the part of horses (as the British custom is) by drawing them in carriages through the principal streets, &c. in triumph. Hunt was endeavoring to get bills for murder presented against the Manchester magistrates.

PROSECUTION OF SIR F. BERDETT.—*London Sept. 1.* A message was on Wednesday week sent to Mr. Brooks, of the Strand, the secretary of the Westminster committee, desiring his immediate attend-

ance at the office of the home department. Mr. Brooks accordingly repaired thither, and was introduced into a room, where he found lord Sidmouth, the attorney general, the chancellor of the exchequer, and some other members of the administration, seated in consultation. The attorney general, said "Mr. Brooks, we have sent for you in consequence of a letter which has appeared in the public papers, as to the late transactions at Manchester, signed Francis Burdett. Was it to you that letter was addressed?"—Mr. Brooks. "Yes."—Attorney general. "Have you got the original letter?"—Mr. Brooks. "May I be permitted to ask the purpose of the inquiry?"—Attorney general. "The letter is a seditious libel; and our purpose is to prosecute it. Will you give it up to us?"—Mr. Brooks. "I am not at the present moment prepared to say whether I will or not. I should like a little time to advise on the subject." The counsel consulted together. The attorney general. "Will you be prepared to give an answer to-morrow?"—Mr. Brooks. "I should like to have till Friday."—Attorney general.—"Well; on Friday, Mr. Brooks, we shall expect your answer." Mr. Brooks then withdrew. Mr. Brooks having written to sir F. Burdett an account of the proceedings of the privy council, with regard to his letter to the electors of Westminster, the baronet has come forward in the most candid and manly way, and avowed himself the author. On Monday the secretary of state received the following letter:—

"Cottesbrook, Aug. 28, 1819.

"My lord--Hearing your lordship has applied to the gentleman through whose hands my address to the electors of Westminster was transmitted to the newspapers, to give up the author, and had, at the same time, intimated that a refusal would subject him, as well as the editors of the papers, to a ministerial prosecution, I take the liberty, in order to save your lordship further trouble, and also the gentleman above mentioned an unjust prosecution, to inform your lordship, that I am the author of the address in question, and, moreover, to assure your lordship, that, although penned in a hurry, and under the influence of strongly-excited feelings, I can discover nothing in it, on re-perusal, unbecoming the character of an honest man and an Englishman. —I remain your lordship's most obedient and very humble servant.

"FRANCIS BURDETT."

"Lord Viscount Sidmouth."

Sir Francis Burdett's address to the electors of Westminster.

Gentlemen—On reading the newspapers this morning, having arrived late yesterday evening, I was filled with shame, grief and indignation, at the account of the blood spilt at Manchester. THIS, then, is the answer of the boroughmongers, to the petitioning people? THIS is the practical proof of standing in no need of reform?—these, the practical blessings of our glorious boroughmonger domination?—this, the use of a standing army in time of peace? It seems our fathers were no such fools some would make us believe, in opposing the establishment of a standing army, and sending king William's guards out of the country. Yet, would to Heaven, they had been Dutchmen or Switzers, or Hessians, or Hanoverians, or any thing rather than Englishmen, who have done such deeds! What! kill men unarmed! unresisting! and, gracious God! WOMEN too, deflowered, maimed, cut down and trampled upon by DRAGOONS. Is this ENGLAND? This a CHRISTIAN LAND? A LAND OF FREEDOM! Can such things be and pass by us like a summer cloud unheeded? Forbid it every drop of English blood,

in every vein! that does not proclaim its master base-tard. Will the gentlemen of England support or wink at such proceedings? they have a great stake in their country. They hold great estates, and they are bound in duty, and in honor, to consider them as retaining fees on the part of their country, for upholding its rights and liberties. Surely, they will at length awake! and find they have duties to perform! they never can stand tamely by, as lookers on, while bloody Neroses rip open their mother's womb! They must join the general voice, loudly demanding justice and redress; and head public meetings throughout the united kingdom, to put a stop, in its commencement, to the reign of terror and of blood; to afford consolation as far as it can be afforded, and legal redress to the widows and orphans, mutilated victims of this unparalleled and barbarous outrage. For this purpose I propose that a meeting should be called in Westminster, which the gentlemen of the committee will arrange, and whose summons I will hold myself in readiness to attend. Whether the penalty of our meetings will be death, by military execution, I know not; but this I know, a man can die but once; and never better, than in vindicating the laws and liberties of his country.

Excuse this hasty address. I can scarcely tell what I have written. It may be a libel; or the attorney general may call it so--just as he pleases. When the seven bishops were tried for a libel, the army of James the second then encamped on Hounslow Heath, for supporting arbitrary power, gave three cheers on hearing of their acquittal; the king startled at the noise, asked "what's that?" "nothing sir!" was the answer, "but the soldiers shouting at the acquittal of the seven bishops." "Do you call that nothing?" replied the misgiving tyrant; and shortly after abdicated the government. 'Tis true, James could not inflict the torture on his soldiers!—could not tear the living flesh from their bones with a cat of nine tails!—could not then slay them alive!—Be this as it may, our duty is to meet!—and "England expects every man to do his duty!"

I remain, gentlemen, most truly and faithfully, your most obedient servant, F. BURDETT.

Kirby Park, Aug. 22, 1819.

Smithfield meeting. Another large meeting was held at Smithfield on the 1st of Sept. Four flags were displayed, marked, "universal suffrage"—"liberty or death," &c. Dr. Watson took the chair, with great acclamations. Resolutions in favor of reform were passed, and the people dispersed quietly.

At Liverpool, also, a meeting was held—10,000 persons present—at which a petition in favor of reform was agreed to, and certain resolutions passed severely deprecating the Manchester massacre.—This assembly seems to have consisted of very respectable people. Many similar meetings had been held at other places.

Liverpool, Aug. 26. Our readers are already apprised, at the late assizes for the county of Warwick, a bill of indictment was found by the grand jury against Major Cartwright, Mr. Wooler, George Edmonds, Charles Maddocks, and W. G. Lewis, "for conspiring to elect and return, without lawful authority, Sir Charles Wolsely, bart. as a member to represent the inhabitants of Birmingham in the commons house of parliament." The indictment has since been removed by certiorari into the court of king's bench, and will come on for trial at the next Warwick assizes, in the *Nisi Prius* court.—The defendants have all given bail to appear and plead to the charge in the king's bench next term.

FRANCE.

Paris, Aug. 27. Professor Meinke has recently made a very important discovery. He has found the means of lightning by electricity, an artificial gas, in glass tubes, which diffuses a light without burning. The electric sparks spread and multiply to an infinite number. With one of these electrical machines a whole city can easily be lighted, and with very trifling expense.

SPAIN.

The report that O'Donnell was in disgrace is contradicted—on the contrary, it seems, he has received new honors from Ferdinand.

NETHERLANDS.

The first of the Swiss columns about to embark for Brazil, is encamped near Dortrecht, in Holland; each of them receives from the king of Portugal a florin per day during the voyage.

GERMANY.

It is said that the emperor Alexander had offered the assistance of 300,000 troops, to guarantee the safety and independence of the sovereigns of Germany, from the machinations of secret societies.

There is a strange persecution of the Jews in many parts of Germany. It is reported that many of them have been massacred.

Coblenz, Aug. 12.—The inhabitants of Creutznach have addressed the following petition to the king of Prussia. It is circulated in a printed form, and read with great avidity:

"During the many years that French domination continued, our hearts remained always devoted to Germany; and we were often reproached with it. Still we must confess, that under the yoke we had reason to be satisfied with our lot, because, under the established government, agriculture, industry, and commerce flourished; because we lived under the protection of law; and because an equal distribution of taxes lightened their burthen. We cannot disguise from your majesty that our former prosperity has in a great measure vanished, that there is a lamentable stagnation of industry and commerce, and that we are threatened with utter ruin."

The petition concludes by complaining of the restraints lately imposed upon industry, particularly on the distillation of brandy, and prays that his majesty would take these matters into his gracious consideration.

CANADA.

Quebec, Sept. 27.—Of the 12,000 British emigrants who have arrived at the port of Quebec this season, we are persuaded that more than one half have found their way into the United States. The St. Lawrence has already become the channel of communication for those emigrants who are destined for the western states, as it will at a future day become one of the main channels of their trade. We regret that greater facilities are not given to British emigrants to settle in this province. In Upper Canada we believe, that great improvements in this respect have been made by sir Peregrine Maitland.

There a foundation of British inhabitants has been laid. If they thrive, they will soon attract more. In this province little or nothing has been done.

SOUTH AMERICA.

New Granada, liberated from the despotism of Spain, creates a new interest. Some account of the country and its population and products, may be found in the 9th vol. of the REGISTER, pages 69 and 109. These sketches were written by a native of the country—a highly accomplished gentleman, with whom the editor had the pleasure to become

acquainted. It is a delightful region, with about 2,500,000 white inhabitants, and very few slaves—rich in the product of all the necessities of life, and yielding more gold than all the rest of South America. All things considered, it is probably the most desirable country of any of the new republics—its great elevation gives it an agreeable temperature, and it was very healthy. Its chief ports are Carthagena on the Atlantic, and Guayaquil on the Pacific—both of which have very fine harbors.

CHRONICLE.

The U. States revenue cutter Alabama, on her way to her station off the Mississippi, &c. captured a piratical schooner of 2 guns and 25 men, fitted out at New Orleans and commanded by a fellow named Le Fage; the privateer had a prize in company; and being hailed by the cutter poured into her a volley of musquetry. The cutter then opened upon the privateer and a smart action ensued, which pretty soon terminated in favor of our little vessel. We had 4 men wounded, 2 of them dangerously—but the pirate lost 6 men in killed; the prize was recaptured and both vessels brought into the Bayou of St. John. Many outrages had been committed by this vessel—she had a commission in blank, signed "Humbert, governor of Texas."

We additionally learn that one of the U. S. vessels had broken up the establishment at Barrataria. Died, at Wilmington, Del. on the 10th inst. Dr. George Monroe, aged about 60—an officer of the revolution, and first Burgess of that borough. He was as honest a man and as sincere a patriot as ever lived. The surviving revolutionary officers met on account of his death, Dr. James Filton, chairman, and col. Allen McLane, secretary, and agreed to walk at his funeral as mourners; as did also the corporation of the town.

An outrage of the most atrocious nature was committed on the 10th ult. in the north part of Licking county, about 12 miles from this place, upon a party of Indians, (21 in number,) belonging to the Oneida tribe of N. York, who were returning from White River, Indiana.

Two men and one woman, who were some miles behind the rest, (the situation of the woman preventing her from travelling as fast as the others,) were way-layed by a parcel of ruffians and fired at. The ball passed into the left thigh of the woman and shattered it in a most shocking manner. It was undoubtedly the intention of the ruffians to have killed the whole of them, if possible, as they were walking nearly abreast, and were fired at from a position calculated to have an equal effect upon all of them. After being reduced to this deplorable situation, the woman was brought to this place on a bier; and, two days after being wounded, was delivered of a child. The mother and child are both living, but it is feared the former will not recover.

The villains who perpetrated this abominable crime have been arrested and lodged in the jail of Licking county, to await their trial.

The whole party are now here, in a very destitute condition, and it is no more than justice to remark, that the inhabitants of this village and vicinity, have rendered them every assistance which their necessities required.—Ohio Register.

Legislature of Tennessee, Sept. 2.—While the clerk this day was reading the rules of decorum, drew up and reported by the committee appointed yesterday, gen. Andrew Jackson was discovered to be among the spectators in the lobby—the clerk was stopped, on motion of Mr. Grundy, who moved

that the general be invited to a seat within the bar—the house unanimously voted in the affirmative, and the members tendered the high evidence of their respect by rising, as the general entered.

Philadelphia. The debt of the corporation of Philadelphia is said to exceed one million two hundred thousand dollars!

Military. Parties of recruits are going westward, to strengthen the U. S. posts on the Missouri, Mississippi, &c.

Military expedition to the falls of St. Anthony.—Lt. col. Leavenworth, with a battalion of the 5th infantry, arrived at Prairie du Chien about the middle of August. He had conducted his battalion a thousand miles by water from Detroit to Fox river of Green bay; thence up the Fox river and across the portage (three miles) to the navigable waters of the Ouisconsin, where he constructed a raft for the transport of his troops, and sailed down the Ouisconsin (180 miles) to its confluence with the Mississippi, where the village and fort of Prairie du Chien is situated. Col. Leavenworth intended, in a very few days, to ascend the Mississippi to the falls of St. Anthony, distant three or four hundred miles, where he would arrive in time to shelter his troops, and to accomplish the views of the government, by establishing a post at the falls in the course of this summer.—*St. Louis Eng.*

Naval. It is stated that capt. Charles Morris is to succeed com. Perry in the command of a squadron intended to protect the vessels of the United States against piratical cruisers, and to enforce the laws prohibiting the slave trade. The squadron will consist of the Constellation, capt. Nicholson, the Cyane, capt. Trenchard, and John Adams, capt. Wadsworth, all ready for sea.

The steam-ship Savannah, on her way to St. Petersburg, passed Elsinour on the 13th of August.

Keel boats. A late Nashville paper notices the arrival there of eleven keel boats, and "Line boat, No. 11," with full cargoes of dry goods, sugars, &c. from below.

Grand Manan. We learn by way of St. Andrews, that certain officers of engineers have arrived at St. John's, for the purpose of fixing upon a site, &c. for the erection of fortifications on Grand Manan—to command the entrance of the bay of Fundy.

Emigration. The following seductive advertisement is recorded as a specimen of the manner in which many poor persons are induced to leave their homes in England and Ireland,—

For St. Andrews, in the river St. John's, that divides the United States of America from the British possessions.—The new, fast sailing cutter (but twelve months built) Commercial packet, Wm. Anderson, master; now lying at the quay of Galway, and will sail positively the 22d of June, wind and weather permitting.

Persons wishing to go to the United States, or any part of the western country thereof, have a cheap and easy opportunity by inland water convenience on arrival. Emigrants will find immediate employment on landing; laborers from 5 to 8 shillings per day; and tradesmen from 12 to 20 shillings per day, and provisions remarkably cheap. As this may be the only opportunity that may offer from hence this season, those inclined to proceed should make immediate application to E. Evans, Back street, or to the master on board, at the dock.

Terms, five guineas, the ship to find nothing but water and fuel. Children half price. Tradesmen will not be prevented from going in this vessel.

Galway, June 14, 1819.

The general grand royal arch chapter of the United States of America, assembled in the city of New York agreeably to their constitution, on the 9th day of September—during their session the following companions were elected to the several offices annexed to their names:

M. B. and hon. Dewitt Clinton, of New York, G. G. H. P.—E. Henry Fowle, esq. of Massachusetts, D'y G. G. H. P.—E. John Snowden, esq. of Ohio, G. G. K.—E. Philip P. Eckel, esq. of Maryland, G. G. S.—E. John Abbot, esq. of Mass. G. G. Sec'y—E. Peter Grinnell, esq. of Rhode Island, G. G. treasurer—E. and rev. Jona. Nye, of Vermont, G. G. chaplain—E. David G. Cowan, of Kentucky, G. G. marshal.

After transacting much important and highly interesting business, the G. G. chapter was closed, to assemble again in the city of New York on the second Thursday of September, 1826. An abstract from the minutes. Attest.

HENRY FOWLE, G. G. Sec. P. T.

The general grand encampment of knights templars for the United States, assembled in the city of New York on the 16th September—during their session the following sir knights were elected in the several offices annexed to their names:

M. W. and hon. Dewitt Clinton, of New York, G. G. Master; M. E. Henry Fowle, esq. of Massachusetts, D'y G. G. Master; M. E. John Snow, esq. of Ohio, G. G. mo; M. E. Ezra Ames, esq. of New York, G. G. Capt. G; M. E. and Rev. Paul Dean, of Massachusetts, G. G. Prelate; M. E. Martin Hoffman, esq. of New York, G. G. S. W; M. E. John Carlisle, esq. of R. Island, G. G. J. W; M. E. Peter Grinnell, esq. R. Island, G. G. Treasurer; M. E. John J. Loring, esq. of Mass. G. G. Recorder; M. E. Thomas Lowdres, esq. of New York, G. G. Warden; M. E. Jonathan Sheffelin, esq. of New York, G. G. Standard bearer; M. E. Ebenezer Wadsworth, of New York, G. G. Sword bearer.

The general grand encampment was closed and the knights disbanded in harmony and good fellowship, to assemble again in the city of New York, on the Monday subsequent to the second Thursday in September, 1826. Attest,

JOHN HOLROYD, G. G. Rec. P. T.

Edwardsville, (Illinois) Aug. 7.—A treaty was concluded in this town on the 31st ult. between col. Auguste Chouteau and col. Benjamin Stephenson, commissioners on the part of the United States, and the chiefs and warriors of the Kickapoo tribe of Indians. The Kickapoos have ceded all their lands south west of the Wabash river, and the following tract of land, viz:—Beginning on the Wabash at the upper corner of their cession of 1809; thence north westwardly to the line that separates the states of Illinois and Indiana, thence with said line to the Kankakee river; thence down the same to the Illinois river, and with the line of that river to its confluence with the Mississippi; thence in a direct line to the Vincennes tract; thence on the western and northern boundaries of their former cession to the beginning. The tract contains between 13 and 14,000,000 of acres. They receive in exchange a track of land on the Osage river, west of the contemplated boundary of the proposed state of Missouri, and will remove there immediately. They are to receive, also, an annuity of two thousand dollars for fifteen years, which is to be paid to them at their village on the Osage.

By this treaty the disputed claim to the Sangamo country is extinguished, and a very large additional tract acquired, to which the title of the Kickapoos was indisputable.

NILES' WEEKLY REGISTER.

NEW SERIES, No. 8—Vol. V.] BALTIMORE, OCTOBER 23, 1819. [No. 6—Vol. XVII. WHOLE No. 424

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

A few days absence from home, has prevented the editor from giving his usual attention to the general business of the REGISTER.

HEALTH OFFICE—*Baltimore, Oct. 21, 1819.*

The Board of Health feel great pleasure in being enabled to state to their fellow-citizens, that no case of fever has been reported for the last three days. From the favorable change in the weather, and the opinion of a number of respectable physicians who have daily attended the sick in the infected district, the board are justified in concluding that, with proper precaution in ventilating and purifying their houses, the citizens may return to their respective homes with every reasonable assurance of safety. By order, P. REIGART, Sec'ry.

Agriculture and the domestic arts.

The noblest of all the arts, because it is the most useful, that of agriculture, for a few years past has excited uncommon attention in the United States. Men of virtue and talents, laudable enterprize and solid wealth, have not felt it beneath them to apply all that they possessed to bring science to its aid, and introduce method and management to the dull monotony of the farmer's life—whose grand and irrefutable axiom apparently was, that *as his father did so must he himself do*: rejecting the results of experience, and following only example—considering all innovations as chimerical, if not dangerous—and making no allowance whatever for the march of mind towards perfectability.

The public newspapers teem with accounts of shews and fairs, and the proceedings of the numerous societies which have sprung from their common parent in Berkshire, Mass. to immortalize the venerable name of WATSON, and disseminate useful facts into every district of our country. The best methods of managing a farm, in all its details, rearing cattle, sheep and swine, &c. and of applying the surplus labor of the people within doors, are carefully attended to, and every man's experience is thrown into the common stock of knowledge—the power thereby to be acquired is of incomprehensible magnitude.

Among the happiest effects that are likely to result from the numerous associations is this *that labor will become honorable*. Bank-making and bank directing were thought so, in too many parts of the United States. But things seem to be taking another turn, and wholesome labor and skill in the domestic arts of agriculture and manufactures, are coming into fashion. Mrs. Humesman, who produced the most elegant piece of goods at one of the late exhibitions and received the premium for it, is as much talked of in her neighborhood and obtains as much pre-eminence as Mr. Swindler's wife, who lately paraded the streets of the city or village with a merino shawl and a Leghorn hat, which cost some honest persons 5 or 600 dollars. Fashion is every thing—and an old friend of ours in Massachusetts, one of those practical Christians and republicans that Providence sometimes blesses a neighborhood with, insists upon it, that if virtue and industry were rendered "fashionable" there could be very few criminal or lazy persons. We believe that he is pretty nearly right,

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and it is hardly to be expected that the idle man or woman can be a virtuous one. Old Satan always finds mischief to employ those who have nothing useful to do.

The benefits of the exhibitions and fairs we have alluded to, are so perfectly manifested in their respective neighborhoods, that it is needless for us to say much about them in this respect. Why should it not be as noble a competition to have the best field of wheat, or the handsomest family-manufactured carpet in the county, as to guzzle the most wine, or dress and dance the most gracefully? But it is to competition that we are indebted for our best improvements; and it becomes the fathers in the republic to observe that the spirit to excel is directed to laudable objects. A pride to be superior in honorable pursuits, should be cherished in our children as the foundation of their manhood—and, with a race of people thus reared, defiance may be given not only "to a world in arms," but also to the corruptions of the world; and the pride of personal character thereby raised up, is the best possible guarantee that can be offered for the preservation of personal liberty.

The press now, that mighty lever of public opinion, extensively aids these "great and glorious works." We have mentioned, with the approbatory terms they deserved, the "American Farmer," published in Baltimore, and the "Plough Boy," at Albany.—A work was also contemplated as specially devoted to the wants of the southern states, but we do not learn if it has been commenced. Another is proposed at Philadelphia, by *Richards and Caleb Johnson*, to be entitled "the Rural Magazine, and literary evening fireside;" to accomplish the double purpose of disseminating useful agricultural facts and literary essays, conducive to the improvement of the mind and rational entertainment. This is to be published in monthly numbers of 40 pages, at \$3 per annum, and remitted by mail or otherwise as directed to the subscribers. The first number is to appear on the first day of 1820; and on its receipt we have no hesitation in believing that we shall be able to recommend it warmly to our friends.

Our affairs with Spain.

In our last paper we noticed the arrival of a messenger at Washington city, bearing despatches from Mr. Forsyth, announcing that the time limited for the ratification of the Florida treaty by the court of Madrid, had expired, without any act on the part of Ferdinand to give force to that instrument.

It is probable that we shall not know the grounds on which the Spanish king neglected, or refused, to sanction the proceedings of his late minister at Washington, until the meeting of congress, if even then they are shewn to us, as no doubt they will be, if known to our government. Much speculation is afloat and rumor is busy, as well in Europe as in the United States, to assign causes why the treaty was suffered to die a natural death, and calculate the consequences of the procedure. But generally, it seems to be agreed that Great Britain has been, and expects to be, deeply engaged in this matter between us and Spain.

The following articles are those most important

to the subject that we have seen published—it is not necessary at present to make any comments upon them:

Sir Thomas M. Hardy, had not yet sailed from England with his squadron, ostensibly destined for the South Seas. His mission is evidently very important, from his frequent conferences with ministers. An article from Boulogne, referring, as we suppose, to this squadron (whose force however, is greatly magnified) says

“The expedition of 12 sail of the line now fitting out at Plymouth for some foreign destination, has given rise to various speculations as to its ostensible object. A letter which we received this morning from one of our correspondents in London, well acquainted with what passes there, states that it is rumored in the best circles that this fleet is destined for Havana, that the government declares that whether Ferdinand ratifies the treaty for the cession of the Floridas or not to the United States, the British are determined to hold that important post provisionally, as a security for their West India possessions; that cautious policy alone has delayed the sailing of the armament—that as soon as despatches were received from the British ambassador at the court of Madrid, lord Henry Wellesley, the fleet would sail. Despatches from his lordship were momentarily expected.”

A London paper of the 2d of Aug. (The Traveller) states, that the hon. capt. Byng, and capt. S. Roberts, C. B. as well as captains Montessor and Otty, are appointed to the *Canada lake service*, under commodore Berrie, C. B. We understand it is not intended that these officers shall put any of the ships on the lakes in commission, but are to take up their residence at the several posts of danger, in the event of any circumstances arising which may call for their services.

The refusal, on the part of king Ferdinand, to ratify the Florida treaty, appears to furnish a field for much news-paper, and even pecuniary speculation in London. Of both kinds of speculation, the following extracts will afford a sample:

“Policies were this morning, [September the 7th] opened on the Royal Exchange, to receive 100l. on paying 20l. if war is declared between Spain and the United States, on or before this day two months.

“Ten pounds have been given to receive 100l. if press-warrants are issued in 14 days.”

“There appears to be a gradual, and what we deem highly probable, approach to war between the United States and Spain. Should the misunderstanding come to an absolute rupture, it is next to certain that without the intervention of other powers it could not last long. An old, decrepid, worn-out, and vicious government, attenuated by luxury and idleness, could stand up for a moment only against a young, a vigorous, a temperate state, which seems to want nothing to make it flourish universally, but a sufficient quantity of the precious metals as a circulating medium, to quadruple with its surprisingly rapid increase of trade and commerce: and that we predict they will not be long without if they come to blows with Spain. For, as such a warfare cannot but be highly promising to the South American patriots, these will not fail to assist and second the views of their neighbors and allies in every way possible. The sharing the produce of the mines of Mexico and Peru, will give to the new and United States of America all that rational men in a state of polished society can wish for. It is now almost a certainty that the beloved Ferdinand has set his face against the treaty: he

must therefore expect some very extraordinary countenance from one or more of the courts of Europe, or his majesty and his whole council will be suspected not merely of fanaticism but of downright insanity. The Floridas are already in the hands of the Americans; what force, and what time with any force, will the dispossessing them of their prize take?”

London, Sept. 9.—It is stated in a letter from Madrid of Aug. 28, that Ferdinand had finally refused to ratify the treaty by which the Floridas were to be ceded to the United States. We suppose therefore, that the humane gen. Jackson, will soon have to take another trip to Pensacola.

Several respectable mercantile houses in New York have received letters from Liverpool, dated Sept. 11,—stating that rumors of an approaching war existed there; that England cannot permit Spain to cede the Floridas, and that in case of a war between the U. S. and Spain, England must protect the transatlantic possessions of the latter; that many of the continental powers will also support Spain, to check the rising colossus in North America, which, it is feared, may prove dangerous to other European powers besides England. Then the state of public and private credit in the United States is alluded to, and said to be at the lowest ebb—and the belief expressed that a separation of the states would be effected, in the event of a war. [We should have thought that this old hope of Englishmen was worn thread-bare before this time.] Then the aggrandizing disposition of the U. S. is spoken of—and the West India colonies it is said, would be insecure if we possessed the Floridas, &c. It is added that all the packets at Falmouth, preparing for service, were suddenly ordered for sea, shewing that something important was expected to take place.

A letter received at London from Madrid, after announcing that the Spanish government had allowed the period for the ratification of the Florida treaty to expire, adds:—“There is as yet, however, no certainty of a rupture with the United States. The duke de C. who is allied to the royal family by his marriage with the niece of the cardinal de Bourbon, has received orders to sail without loss of time, for the United States, on a mission from the court of Madrid. It is thought that through the channel of so important a personage, the negotiations with the American government may be renewed.”

The same letter says—“It is reported at Madrid, that Don Onis will soon occupy the place of Mr. Sahnon, who is considered very unfit for the department of foreign affairs.”

A letter from an American gentleman in France, says—“With regard to America, they earnestly desire here, that the treaty for the purchase of the Floridas may not be ratified, as they suppose such an event would produce a war between the United States and Spain, and induce the former to take an active part in favor of the independents.”

The *National Intelligencer*, noticing some of the preceding remarks, &c. observes—“The following extracts from the late London papers, received by the way of Boston, shed some light on the subject of the delay to ratify the treaty of cession to the United States. The latter, we infer from its cautiously abstaining from any notice of the British demands on the Spanish government, is from some one attached to the British legation at Madrid, who, himself concealed, lifts the curtain which discloses the secret springs by which others are moved. We will take this opportunity to remark, by the way, that

we have not yet given up the expectation of an eventual ratification of the treaty."

Our government, in the mean time, is preparing for any emergency—large quantities of arms are ordered for *Savannah*—a quantity of ordnance is lying at *Amelia island*, and troops are reported as proceeding thither—it is rumored that the ships which were just about to sail under com. Morris, have received orders to remain as they are, and that the *Peacock* has sailed as an express to our fleet in the Mediterranean. An increased activity is given to the building and equipment of our vessels of war—the commissioners of the navy are advertising for timber to build three steam batteries, and the fortifications and works of defence are every where pushing forward as fast as possible. All these, most probably, are on the principle that "caution is the parent of security."

On the whole, we have no doubt but that England, the declaration of her ministers in parliament to the contrary notwithstanding, has interfered to prevent the ratification of the treaty by Ferdinand, and now means to frighten us from an attempt to do ourselves justice on Spain: we cannot believe that the British government is seriously resolved to hazard a war with the U. S. in a case like the present—an affair in which they have no right to interfere, and which must deprive them of the commerce of both the Americas, and PERMANENTLY establish rival manufactories in the United States, to the future exclusion of British manufactures,—for we have no doubt but that the public indignation would go so far as totally to prohibit them for the future, which would be a great benefit to us all.

As to the United States—we are entirely confident that the president will not do any thing more than use all the means in his power to stand prepared to execute such measures as congress, when in session, may see proper to adopt. He cannot declare war against Spain; nor will her refusal to ratify the treaty justify him in taking possession of the Floridas.

Some however, are of opinion that, as England had forbidden Spain to transfer the Floridas to the United States unless she also ceded Cuba to her, it is understood and assented to on the part of Spain, that the United States shall take possession of the Floridas, and quietly hold the country until something can be done to satisfy the preposterous pretensions of England.

Banks and Banking.

City bank of Baltimore.—The long expected meeting of the stockholders of this institution took place on Wednesday last. The present board of directors exhibited, perhaps, as clear a statement of the affairs of the bank as could have been expected, and disclosed acts of villainy that horrified the numerous assembly.

After other proceedings, the matters of the bank were referred to a committee of the stockholders, to report yesterday—we learn that several resolutions offered by them were adopted—the tendency of which was to make some further investigations, and to cause the bank to meet the demands against it as speedily as possible—after this is done, it seems probable that the institution will be dissolved.

The proceedings and disclosures shall be given in detail next week, so far as we think it may be useful for persons at a distance to know them. The names of the present defaulters, with a statement of

the affairs of the bank, &c. have been printed for the use of the stockholders.

Effects of banking and speculation.—The Federal Gazette, of the 18th instant, contains six solid, formidable columns of advertisements, by order of the commissioners for conferring the benefit of the "insolvent laws" of Maryland—in all about sixty, which gives the names, perhaps, of nearly one-third of the persons who are "going through our mill" just at this time: several of whom are of those that lately counted their affairs by hundreds of thousands, or by millions of dollars; who erected palaces, and furnished them with a degree of magnificence superior to that which many German princes ever aspired to—who still live in splendid affluence, and indulge themselves in the most luxurious viands—their wives and children, or some kind relative, having been made rich through their swindlings of the people.

Never, perhaps, since legislation began, have any soberly enacted laws been more productive of crime than the insolvent laws of Maryland. I have known several to calculate upon the "relief" from them, just as they would do on an accommodation at bank, or on the payment of debts due to them! If we succeeded in such and such a thing, say they—very well; if not, we can get the benefit of the insolvent laws. Any body can get this benefit who has resided two years in the state, if he has money enough to pay the fees, with a little address and some hard swearing; and where one prudent and honest man applies for such benefit, one hundred rogues are facilitated in their depredations on society.

If the legislature of Maryland, at the ensuing session, do not efficiently change the principle and operation of our insolvent laws, we hope that they will, at least, give them a new title, and denominate them to be for the encouragement of villainy—for such, indeed and in truth, they are.

Bank of the United States, Oct. 16, 1819. Notice is hereby given, that the notes of this bank and its offices, of the denomination of five dollars, will be received and paid on demand, at the bank and its offices respectively, without reference to the place where they may, by their terms, be made payable.

By order of the board of directors.

JONATHAN SMITH, cashier.

The state bank of North Carolina is retracing its steps. Its refusal to pay its notes—a suicidal act against its own credit, in the hope of bothering the brokers and other money-dealers, was a grand mistake, and decidedly benefited those whom it was designed to operate against; the bank being, as we believe it is, solvent, and able to meet all its engagements, if managed with common prudence. The late measure, however, has had the effect of drawing a vast amount of its notes from the circulation, and the bank will find it was much easier to decree a suspension of specie payments than it will be to resume them—and any inconvenience which it may suffer will be esteemed by all as a just punishment for its self-announced bankruptcy.

Protracted payment!—It was reported some weeks ago, and we have not since seen it denied, that the bank of Kentucky had issued notes "payable 365 days after date, and have loaned them to some of the Independent banks, to enable them to save their charters, by the payment of notes on the bank of Kentucky or its branches, three hundred and sixty-five days after date; and which, it is said, some of the legal characters of the directory have advised would answer the purpose; and, in this manner, that description of paper is finding its way into circulation."

Mechanics bank of Alexandria. Ten thousand and eighty seven shares of stock, in the Mechanics bank of Alexandria, says the Fredericksburg Herald, of the 9th inst. are advertised for sale at auction by the cashier, on the 13th of this month. The object of the sale is to raise money to pay certain stock notes, for which purpose this stock was pledged. The par value of stock in that institution, is only \$10 per share: so that the whole amount of stock offered is only \$100,370.

☞ We regret sincerely, that this bank is honored by being called the "Mechanics"—for its name, after that of *Farmers*, is the most favorable of all others to an idea that the institution was bottomed on capital raised by honest industry. But we suspect that some crafty knave and no mechanic, was one of the fathers, or chief managers, of this institution, as we know was the case in another bank so called, which however, may weather the storm of fraudulent speculation. It is time that the Mechanics bank of Alexandria had shut-up shop. Its notes are about 50 percent. under par in the money market; and if any *real mechanic's* was at that rate, the people would think that he was rather in "a bad way!"

Encouraging.—Extract of a letter from a gentleman of great respectability in the western country, to the editor of the *Raisin*:

"I beg you to attribute my long silence to any other cause than the want of a just respect for your services in inculcating sound doctrines for the country. I have been much engaged in the enterprizes of the times, and have felt the necessity of active exertion to prevent the sudden revolution in the monied state of the country from producing private embarrassment. I am, however, weathering the storm by the aid of steam, in which I had dipped rather deeply.

"The nation has been intoxicated, and no section has been more sensibly touched with the disease than the western country. We are, however, slowly, though painfully, recovering from the draught. The ultimate consequences will be beneficial and permanent."

Maine Convention.

Portland, Monday, October 11, 1819.—At eleven o'clock this day, a large number of delegates having arrived in town, the bells were rung, and the convention assembled at the court-house, the place appointed in the act for their first meeting. Mr. KING, of Bath, opened the meeting by a few observations, and suggested, at the recommendation of a number of the members, that the hon. Mr. CONY, of Augusta, should be placed in the chair to organize the assembly: this nomination was unanimously assented to, and the hon. gentleman was conducted to the chair—upon which he made the following very pertinent address:

"Gentlemen—With this day commences a new era in the history of Maine—a new state rising into existence under circumstances that will enable it to take honorable rank with the older states in the union. The convention here convened in this hall, consecrated to justice, and assigned by the legislature as the place for their meeting, have a high and responsible trust in charge. Let us endeavor not to disappoint the reasonable expectations of our constituents. The first business will be to examine the returns of the members, and that before we proceed to organize the convention."

Mr. HOLMES then suggested that it would be proper, before proceeding to any other business, to ascertain of their number present, those who actu-

ally belonged to the convention, and therefore moved that every member should lay the certificate of his election on the chairman's table, and that a committee should be appointed to examine the credentials and report the number chosen. This committee consisted of Messrs. Holmes, of Alfred; Parris, of Portland; Gage, of Augusta; Abbot, of Castine, and Dana, of Fryeburg. The committee reported that 274 members appeared to be returned.

The chairman then observed, that as the usual dining hour, and a proper hour for adjournment, had arrived, he begged to be indulged, before that event took place, in remarking that it would be peculiarly proper, before commencing on the very interesting and important duty for which they had assembled, that prayers should be offered to the Throne of Grace for guidance and direction. The suggestion was unanimously approved; and the rev. Mr. Titcomb, of Brunswick, was requested to officiate: after prayers the convention adjourned to three o'clock.

Afternoon.—The convention met at three o'clock, agreeably to adjournment; and, on motion of Mr. Whitman, of Portland, proceeded to the choice of a president, by ballot. It appeared that 241 votes were given, of which the hon. Wm. King had 230, and was chosen. A secretary being elected—

Judge Parris, of Portland, then addressed the convention on the subject of their future proceedings, and having read an extract from the bill, submitted some resolutions, of which the substance is as follows:—1st, that a committee be chosen to draft rules for the regulation of the convention—2d, that a committee be chosen to apply to congress for admission into the union as a separate and independent state, and 3d, that there be a committee elected to report a constitution of government for the new state.

American Manufactures.

An adjourned meeting of the citizens of the city and county of Philadelphia, friendly to American manufactures, was held in the county court house, on Saturday the 2d of October, 1819,

MATTHEW LAWLER, esq. chairman.

C. RAFFET, esq. secretary.

The committee appointed for the purpose presented the following report:

The committee appointed by a meeting of the citizens of the city and county of Philadelphia, held on the 21st of August, at the county court house, to make enquiry into the situation of the manufactures of the city of Philadelphia and its vicinity, in 1814, 1816 and 1819, beg leave to report—

That they have performed the duty assigned them with as much attention as in their power; and regret that, notwithstanding all their diligence, they have been able to procure the necessary information from only thirty branches of manufactures, of which they annex the result.

Although they made report in part, on the 4th ultimo, containing a statement of the situation of seventeen branches, they judge it proper to present their fellow citizens with a connected view of the whole together; so as to enable them to form a correct estimate on a subject of immense importance, not merely to the welfare of this community, but to the wealth, power and resources of our common country; which never can be really independent, while it continues to buy more than it sells—paralyzes the industry of its citizens, neglects its domestic manufactures, and supports those of foreign nations.

Branches of Manufactures.	Number of hands employed.			Average value of their labor per week.			Value of goods manufactured pr. wk		
				DOLLARS.			DOLLARS.		
	1814.	1816.	1819.	1814.	1816.	1819.	1814.	1816.	1819.
Cotton : : : : :	1,761	2,325	149	3 75	3 67	4 65	778	27,380	
Hosiery : : : : :	96	48	29	4 51	4 47		2,690	382	145
Thread : : : : :	444	191	20	4 24	3 50	3 06½	3,420	1,188	600
Silver plating : : : : :	114	210	30	9 00	8 00	6 00	15,036	3,200	1,732
Smithery : : : : :	852	750	149	9 00	8 00	6 00	5,600	18,500	1,675
Coach making : : : : :	220	185	67	9 00	9 00	8 00	5,479	4,625	629
Chemicals : : : : :	71	52	16	6 63	7 55	6 44		2,755	
Hatting : : : : :	134	172	60						
Carving and gilding : : : : :	62	121	24	7 50	8 50				
Potteries : : : : :	132	132	27	5 48	5 48	5 83			
Tobacco pipes : : : : :	33	33	none	4 17	4 17				
Printing ink : : : : :	5	5	1	7 00	7 00	7 00			
Book printing : : : : :	198	241	170	7 70	7 21	5 83			
Type foundry : : : : :	74	90	42	4 35	4 32	4 46			800
Brass foundry : : : : :	300	240	80	6 33	6 00	5 00		2,800	
Wire factory : : : : :	60	22	6	6 67	7 00	7 50			
Floor cloth manufactory : : : : :	50	30	25	6 00	6 00	4 50			
Woolen : : : : :	1,310	1,226	260	3 12½	3 12½	3 12½			
Iron castings : : : : :	1,095	1,152	52	6 44	6 62½	11 54			
Paper making, 95 vats : : : : :	950	950	175	5 00	5 00	5 00			
Copper smith and tin ware : : : : :	77	77	35	5 75	5 75	2 00	2,272	2,272	381½
Gun-smithery : : : : :	154	124	93	7 23	3 75	8 67	2,567	2,145	1,759
Cabinet making : : : : :	180	250	70	7 00	7 00	7 00			
Brush making : : : : :	65	112	50	6 00	7 50	5 00	1,560	2,688	1,200
Plaster and stucco : : : : :	120	150	90	8 00	10 00	7 00			
Brick laying : : : : :	250	300	150	9 00	10 00	8 00			
Patent lamp making : : : : :	6	5	1	7 50	7 50	7 00			
Morocco leather, &c. : : : : :	68	111	84	8 26	7 66	8 52	2,581	5,358	2,548
Rope making : : : : :	110	200	100	6 48	7 50	5 52			
Paper hanging and playing cards : : : : :	189	168	82	2 70	3 36	3 08			
	9,188	9,672	2,137						

The following is a list of the branches of business, on which the committee found it impractical to procure the necessary information:

Shot-makers	Engravers
Plumbers	Stone-cutters
Coopers	Glass-manufacturers
Umbrella-makers	Brewers
Bookbinders	Tanners
Sugar bakers	Curriers
Chocolate makers	Dyers
Snuff and tobacco manufactory	Brick-makers
facturers	Chair-makers
Carpenters	Glovers
Painters and glaziers	Embroiderers
Manufacturers of gun-powder	Calico-printers
Shoe-makers	Turners
	Wheelwrights, &c. &c.

It is obvious that these branches must have partaken of the general decay of business—but it is impossible to ascertain in what proportion.

We do not pretend that the above statements are critically exact. It is obvious, that it would be hardly possible to render them so, unless they were collected officially by public authority. But from the characters of the citizens who have furnished our data, we can confidently assert, that if there be any errors, they are neither numerous nor important; and that any slight excess in some is amply counterbalanced by deficiencies in others; of the latter description some have already fallen within our knowledge.

The preceding table demands the most serious

reflection of our citizens. It is fraught with instruction.

The following is an analysis:

	AVERAGE OF		Diminut'n
	1814 & 1816.	1819.	
Persons employ'd	9,425	2,137	7,288
Weekly wages	\$58,540	12,822	45,518
Wages per annum	\$3,033,779	666,744	2,366,935

Thus, in the article of wages alone, there is in thirty branches of manufacture an actual annual loss of \$2,366,935

Supposing the materials only equal to the wages, they amount to 2,366,935

Annual amount of productive industry smothered by our present system 4,733,870

In this city and vicinity, there are, it appears, 7,288 persons thrown idle. And it is far from unreasonable to presume, that on every person thus deprived of employment, at least two other persons depend. Hence it follows that no less than 21,864 persons are bereft of maintenance in thirty branches of business, in one single district of no great extent, not forty miles in diameter.

The pecuniary loss arising from this state of things may be calculated with tolerable certainty. But who can calculate the injuries of another description that flow from it? The demoralization,

that necessarily results from want of employment, and its attendant dissipation? the heart-rending pangs felt by parents whose prospects of supporting their families are blighted and blasted? the numerous estimable females accustomed to earn a subsistence by spinning, and other employments adapted to their sex, and whose wants and distresses may force them to a life of guilt and wretchedness? the vice and immorality to which children are exposed by a career of idleness? in a word, the flood of evils, moral and political, which are let loose on society, by the existing state of things?

It would far exceed the bounds of this report, to enter into details on those various branches of business. This must be left to the reflection of our citizens and of the legislature of the United States, who alone are competent to apply a remedy to the existing evils. But we cannot forbear casting a glance at one particular branch, in order to establish the impolicy of our system.

The basis of the paper manufacture is a raw material, completely worthless for any other purpose. All the produce of it, therefore is clear gain to the community, and a solid substantial addition to the wealth of the country. We therefore exhibit a comparative of the state of this branch in 1816, and 1819.

	1816.	1819.	Diminut'n.
Workmen employed,	950	175	775
Annual wages	\$247,000	45,000	202,000
Annual production	\$760,000	136,000	624,000
Tons of rags work'd up,	2600	472	2,128

Thus in one single branch of little comparative importance, an annual loss of 624,000 dollars is incurred in the vicinity of the city; and 775 persons are rendered destitute of employment, many of them men and women of large families. This is independent of the sacrifice of the capital of the employers, which in many cases is reduced to one half of its former value.

Our policy is in direct hostility with that of all the wise nations in the world, for four or five hundred years past. They have always held out inducements to the migration of artists, mechanics, and manufacturers, whom they have received with open arms, and fostered and cherished, frequently by bounties and immunities. In some countries the emigration of such persons is made penal. But alas! with us the same ruinous policy that depresses the industry of our native-citizens, discourages the migration to our shores of foreigners devoted to manufactures. Allured by the advantages of our excellent form of government, hundreds and thousands of them come to enrich us with their capital, their talents, and their industry: but on their arrival they find no room for the employment of either industry, talents, or capital. Many of those who seek support here in their respective trades and professions, are obliged to earn a maintenance by low and servile occupations, in which their skill and talents are literally thrown away; many, to our knowledge, have been reduced to mendicity; and hundreds are driven to Canada or Nova Scotia, or obliged to return to their native countries, where they hold out a beacon to others, not to try their fortunes in this new world. To England no less than one hundred returned in one vessel.

We beg leave to repeat, what we stated in our former report, that most of these manufactures are prostrated not for want of protecting duties, but in consequence of the general impoverishment of the country arising principally from the want of protection to the great leading branches of cotton, wool, and iron. A large portion of our manufac-

tures, including the chief of those depending on manual labor, have succeeded completely; and it is a singular and striking fact, notwithstanding the high price of labor is so often urged against the encouragement, and against the chance of success of manufactures here, that we yield the palm chiefly in those branches depending on machinery, in which from our numerous mill-seats, we have advantages beyond any nation in Europe.

A trite observation is used to palliate our sufferings, which, as it diverts public attention from their real sources, and thus may prevent the application of an adequate remedy, deserves to be met and refuted. We invite your attention.

It is asserted that the present is a season of general stagnation and embarrassment; that the commercial world is every where involved in distress, the necessary consequence of the transition from a state of war to a state of peace; and that we only participate in the general suffering, from which we have no right to claim an exemption.

These views, however plausible, are destitute of foundation, and are wholly unsupported by facts. That there is great distress in certain parts of Europe, we admit; but it is far from being as general as is asserted. Manufactures and trade are in a flourishing state in France, Russia and the Netherlands, in consequence of the wise system of protecting national industry, pursued in those countries. The first, it is stated by travellers of undoubted veracity, was never in a more prosperous situation.

But admitting for a moment, that distress and embarrassment were not only general, but universal in Europe, it by no means follows that they should extend to this country. The nations of that quarter, with hardly any exception, were for twenty years wasted and consumed by a devouring war. Most of them were subjected to the often repeated rapine and depredation of countless hordes of licentious and rapacious armies, which levied on them most exorbitant and ruinous contributions. Their people are generally subject to grinding taxes, rack-rents, and oppressive tythes. Their national debts are enormous, and their governments expensive—supported by numerous standing armies, a burden to the rest of the community.

We ask our fellow citizens what analogy can be found between their situation and ours? None.—As well might we compare the decay and decrepitude of seventy, to the vigor and alacrity of thirty, as compare some of the European nations with the United States.

For nineteen successive years we enjoyed as numerous and as important advantages as any nation ever did. We carried on a most extensive and lucrative commerce with all the world, and were the carriers for a large portion of the commercial nations. We were at war only about two years and a half, during which time our manufactures made a progress not often equalled, and perhaps never, under similar circumstances, exceeded. We closed the war with honor and glory, and in a state of high prosperity; our debt is moderate; our public contributions light; our government unexpensive; direct taxes are hardly known. We pay no tythes, as the support of the clergy is wholly voluntary;—ninety-nine out of a hundred of our farmers and planters own the soil they cultivate; our people are ingenious, industrious, and persevering; yet notwithstanding all these, and various other advantages, in three years, without war, famine or pestilence, we have fallen from a high grade of prosperity. Distress in a greater or less degree pervades the nation; property of almost every description has fallen 10, 20

30, 40, 50 or even 60 per cent. Industry is generally paralyzed, and every class of our citizens is embarrassed, except public officers, whose salaries remain unaltered, notwithstanding the rise in the value of money, and likewise great capitalists, who are enabled to possess themselves of the property of the distressed at one half or two thirds of its value, and in some cases at one-third.

But with our system it could not be otherwise. It never has been otherwise with nations whose industry has not been protected. Had we, like the Spaniards, the mines of Potosi, we should, like them be impoverished, under a system which opens our ports to the manufactures of all the world, whilst most of its markets are shut, not only against our manufactures, but in some cases against the most important produce of our soil; a system whereby we are deluged with immoderate quantities of luxuries which we do not want, and of necessities and conveniences, with which we could supply ourselves; a system which prodigally lavishes the wealth and resources of our country, to support the agriculture, manufactures, trade and commerce, of foreign nations, and stints and starves our own—consigning our fellow citizens to distress and wretchedness:—And thus, under the best form of government in the world, we wantonly inflict on ourselves many of the most serious and oppressive evils of the worst; for it is an awful truth, which we wish to be sounded in the ears of all the constituted authorities of the United and individual states, that *there is no country in the civilized world, in which the class of manufacturers, who have at all times been most zealously cherished by all wise governments, are in so unprotected a situation, as in the United States.* There is not a greater difference between light and darkness, virtue and vice, than between the fostering care bestowed on manufactures in England, France, Austria and Russia—and the cold and chilling neglect which the successive application for relief, made to congress, by our manufacturers in 1816, 1817, 1818 and 1819, have experienced. They produced no more effect, and were treated with no more respect, than the applications of the congress of 1774, to the ministers of his Britannic majesty. And in fact, it is a melancholy truth, that the manufacturers of the U. States are almost as completely unrepresented in congress, as this country, when in its colonial state, was in the British parliament: and history is replete with proofs that when the power of a country is exclusively vested in one portion of its people, the others rarely experience the beneficent consequences resulting from that “even-handed justice” which “does as it would be done by.”

The committee believe that one of the chief ends of government is the protection of property acquired, and protection in the acquisition of property; that, so far as respects the latter object, a large portion of the manufacturers are debarred of this right; that it is impossible for one large class of citizens to suffer without the others participating in the distress; and, finally, that, although the manufacturers are the first and greatest sufferers by this baleful policy, which sacrifices their industry to that of foreign nations, yet, that the impoverishment of the country, arising from that sacrifice, has spread itself over the whole of the United States, with the two exceptions already specified.

Although not exactly within the duty enjoined on your committee, they judged it not improper to exhibit a statement of the depreciation of the value and income of real estate in the city of Philadelphia, in order more fully to corroborate the view they have given of the existing distress.

Of 85 houses in six continuous squares in Market st. which were, in 1818, rented for	\$88,260
There were, one month since, only 49 occupied, which rent for	35,205

Diminution of annual income in part of a single street.	53,055
And there were no less than 36 houses wholly unoccupied.	

In those squares, many of the houses are under lease, and therefore have undergone no change in the rent; and many are occupied by the owners. Of both descriptions no notice is taken. This view is wholly confined to houses of which the rent has been lowered, or which are unoccupied.

And on an examination of sundry streets, being about three-fourths of the whole city, there were found, a fortnight since, not less than about 400 houses unoccupied.

On a careful examination of the subject, your committee respectfully submit for consideration the following resolutions:

Resolved, That it is clearly established, on a careful examination, that the industry of a very large portion of the inhabitants of this city and its vicinity is completely destroyed, whereby thousands of useful citizens and their families are deprived of employment, and reduced to distress and difficulty.

Resolved, That the great difference between our situation, and that of those countries in Europe, which at present suffer distress and embarrassment, together with the solid advantages we possess, forbid the idea that our embarrassments are owing to the transition from a state of war to a state of peace. —(2 dissenting voices.)

Resolved, That the grand and primary cause of the prostrate state of our manufactures, is the extravagant inundation of foreign goods poured into our country, in consequence of the want of adequate protection for the national industry, which goods are sold at such reduced rates as to deprive our citizens of a chance of sale of their manufactures; whereby our country is plunged in debt, our wealth drained away to support the industry of foreign nations—and a heavy permanent annual tax imposed on us, to pay the interest of the government and bank stock, remitted in payment for those goods. —(1 dissenting voice.)

Resolved, That the intercourse between the United States and most of the countries of Europe, is carried on without adequate reciprocity; as our chief manufactures, and even some of our agricultural productions, are there excluded by positive prohibitions, or by extravagant duties, while our government prohibits no article whatever, and imposes on foreign manufactures duties comparatively light, and wholly inadequate for protection.

Resolved, That it be earnestly recommended to the friends of the welfare of their country, to unite their exertions to induce congress, at its next session, to remove the source of evils under which the nation labors, by such a modification of the tariff, as will afford protection to the industry of the citizens of the United States, equal to what is afforded by the monarchies of Europe to the industry of their subjects.

Resolved, That the committee of correspondence, appointed on the 4th ult. be a standing committee to correspond with such citizens of this and the other states, as may be disposed to co-operate in the support of the national industry.

Resolved, That it be earnestly recommended to the citizens of Boston, New York, Baltimore, Wil-

mington, Pittsburg, and all other places, where industry is paralyzed, to appoint committees to make enquiries into the rise, progress, and decline of their manufactures respectively, in order to lay the result before congress, at their next session, so as to enable that body fully to appreciate the ruinous consequences of the existing policy, and to apply an adequate remedy.

Resolved, That the memorial adopted at the meeting on the 4th ult. together with the proceedings of this meeting, be transmitted by the committee of correspondence to the members of the general and state governments, and to all the post-masters in the United States.

Resolved, That Thomas Lieper, M. Richards, James Ronaldson, Z. Philips, and Thomas F. Gordon, be a committee of finance, for the purpose of raising subscriptions to defray the expenses of the publication of these documents.

A letter from the secretary of a society formed in Boston, for the purpose of encouraging domestic manufactures, to a citizen, was read—whereupon it was

Resolved, That the committee of correspondence open a communication with the said society, upon the objects for which they have mutually been established.

The question being severally put on those resolutions, they were duly agreed to.

Adjourned to meet at this place on the last Monday in November next.

MATTHEW LAWLER, Chairman.

CONDY RAGERT, Secretary.

October, 2, 1819.

Legislature of Tennessee.

Monday, Sept. 20th, 1819. At eleven o'clock the two houses assembled, (two only, of the whole number of members absent). The house of representatives elected *James K. Fentress*, esq. speaker, *Thomas J. Campbell*, esq. principal clerk, col. *Jacob Tipton*, asst. clerk, *Christopher Brooks*, principal, and ——— assistant door keepers.

The senate elected colonel *Robert Weakly* speaker, *James K. Polk*, esq. principal clerk, *Alexander B. Bradford*, esq. assistant clerk, and *John Bright*, door-keeper.

The two houses being organized, a committee was appointed to wait on his excellency the governor, and inform him that both branches of the legislature had met, were about to proceed to the dispatch of public business, and ready to receive any communication he had to make.

At 4 o'clock P. M. the following message was received.

*Fellow-citizens of the senate,
and of the house of representatives.*

Permit me to tender to you my sincere congratulations on the interesting recurrence, which has once more brought us together in our respective stations at the seat of government, where, I trust in Divine Providence, you will be favored with that portion of good health, which is necessary to your comfort, and the faithful discharge of the high and important duties confided to your zeal and knowledge.

I am gratified in a very particular manner in being able to announce, that the citizens of Tennessee, do at present, enjoy the blessings of general health, to as great an extent as at any former period. The evidences of a kind and pervading influence have been greatly multiplied and strongly marked; and the regular and consistent progress of

morality and religion must be a source of real pleasure to every well regulated mind. General confidence in our political liberty, is strengthened by time and further experiment, whilst the sources of rational enjoyment and domestic happiness, are every where extended and increased. For a continuation of all these things let us look in humble confidence to that superintending Hand, which governs the destinies of men and nations.

In the month of October 1818, a treaty was concluded between the United States and the Chickasaw nation of Indians, by the terms of which it will appear, that the Chickasaws have ceded to the United States, their entire claim to all the lands lying within the limits of this state, with the exception of a reservation of four miles square, to include a salt spring upon Big Sandy River. A copy of the treaty as ratified by the president and senate of the United States shall in due time be laid before you.

This acquisition of territory is of the highest importance, as well to the state of Tennessee, as to many worthy citizens of North Carolina, who have nearly forty years ago paid for lands granted to them in that section of country, under strong implication then given, that possession would be secured soon after the grants were made: and as the United States did by an act of congress, passed on the third day of April 1818, authorize the state of Tennessee to appropriate those lands to the satisfaction of certain specified claims, it will now devolve on you as a duty of the first responsibility, to make that appropriation in the best practicable manner.

Whatever may be the mode deemed most expedient and proper to be directed by you, I would recommend that reasonable time be given to afford every necessary facility, whereby those living at the greatest distance, may, if possible, secure and identify their old grants, before any step be taken in the location of floating warrants upon the vacant territory; for the vexation, strife and litigation, which have heretofore arisen in the history of our country from conflicting claims, will doubtless again recur, unless prevented by the operation of wise and efficient regulations. That such regulations may with the greater certainty be adopted, let your discussion be ample, patient, and dispassionate.

The great extent of general and individual interest, directly involved in this particular part of our policy, has so much fixed the public attention, and supported for so long a time the anxieties of so considerable a portion of the population of this state, that a candid avowal of the opinions of every department of the government seems to be due to the people; and with this view I would suggest for your consideration, the propriety of providing by law, with as little delay as can be justified by the importance of the subject, for the erection of the added territory into land districts, and such other civil divisions as the exigencies of the country may require. Let the whole vacant territory, or so much of it as shall be thought necessary, be laid subject to the satisfaction of such land warrants as may be adjudged valid against North Carolina, in conformity with the provisions stipulated by the acts of cession and compact:—And to the end, that the whole process may at some time be brought to a certain close, let a definite period be fixed, beyond which the business of location upon land warrants of every description shall cease; unless it be satisfactorily established that there is not vacant land sufficient, within the section of country set apart for that purpose, to meet all just claims. This period might

perhaps be very properly limited to the first day of October, 1821, at which time the general assembly will be in regular session.

I have the further satisfaction of laying before you, the copy of a treaty entered into at Washington city, on the 27th day of February last, by the hon. John C. Calhoun, on the part of the United States, and the head men of the Cherokees on the part of the nations.—By the terms of this treaty you will perceive that a large portion of the lands ceded by the Cherokees, lies within the limits of this state; a map of which has been furnished by Robert Houston, esq. commissioner on the part of the United States, in running the lines called for in the treaty, and shall be laid before you for your information, together with copies of the correspondence between the honorable secretary of war and myself, during the time I was engaged in carrying into effect the treaty of 1817.

The lands thus acquired, (including what lies on the north side of the Tennessee river) comprise sufficient territory to form four counties. The soil still remains subject to the use and occupation of the Cherokees until the first day of January, and from the particular situation of those lands, connected with the circumstances attending the disposal of the vacant soil acquired by the late Chickasaw treaty, already referred to; I think it most advisable, that for the present, no steps be taken towards any specific appropriation of the Cherokee country, deferring until the sitting of the next stated general assembly, all legislation on the subject, except so much as may be found necessary in giving efficacy to the civil and criminal laws of this state within its limits, of which I shall speak more fully in a subsequent communication.

In effecting the several arrangements, as well with the Cherokee as with the Chickasaw Indians, which have been so long and so anxiously looked for by us, the sincere and constant good will of those who administer the general government, has been very apparent, in the uniform and liberal aid afforded by them, through every stage of the different transactions. The zeal displayed by the agents appointed to treat with the Chickasaws, has justified the expectations of those by whom they were employed, and has secured to them high and additional claims to the confidence and gratitude of their country.

The benefits to be derived to the state of Tennessee from the Cherokee treaty of 1817, depended so much upon the success of ulterior measures to be pursued by the general government, as to make it a matter of much concern, that every thing attempted for the execution of that treaty, should meet the hearty concurrence and support of every citizen of the state, who might be placed in a situation where he could act with effect. Under this persuasion, I have for more than eighteen months, been sedulously engaged in forwarding every effort of the administration, which had for its object the removal of the Cherokees to the Arkansas river, upon the principles of an exchange of countries. The deep rooted enmity of that nation towards the people of the western country, and particularly towards the citizens of Tennessee, manifestly points to the wisdom of that policy, which would place the Mississippi as a barrier against mutual recrimination and bad neighborhood. How far my labors have been successful in seconding the views of government, may in some degree be seen from the result, as far as the effect of my efforts can be connected with it, and how far the terms obtained, are to be made useful to this state, must mainly depend upon

the good policy of measures, yet to be adopted and pursued by us. In a long life of labor and active employment, more than thirty years of which have been devoted to the faithful service of my country, I have never been engaged in any one public duty from which I had reason to expect so much substantial good and lasting advantage to my fellow citizens; and that it will prove to be the most useful part of my public life, I indulge the most positive and honest convictions.

The provisions which have heretofore been made by law, for the advantage of such persons as might be enabled to find any lands originally granted to them, have it appears, been insufficient to check the inducement to fraud and irregularity. I therefore earnestly recommend a thorough investigation of these provisions in all their bearings, that you may in future be the better enabled to protect the public against imposition, whilst you are extending to honest claimants every assistance compatible with good faith. I submit to you, whether a just policy could now exclude those holding granted lands within the Chickasaw purchase, which cannot be identified, from obtaining certificates of such loss, provided application for relief be made in a reasonable time; but the propriety or even expediency of extending a like indulgence to those whose claims may be north and east of the congressional reservation, is not to me apparent. As land warrants become more valuable, it is more and more obviously seen, that much vigilance should be used in narrowing down the temptations which cupidity and avarice might have, to destroy the evidences necessary to establish the local situation of lands already granted, where the soil itself is less valuable than the warrant which covers it.

By the provisions of an act passed at Knoxville on the 21st day of October, 1817, on the subject of making entries for lands to which the Indian title had been extinguished, it was made the duty of the governor, after having been informed of the ratification of the treaty, by which the Indian title was extinguished, to issue a proclamation giving three months previous notice of the time when the respective surveyor generals offices would be opened, for receiving locations and entries for lands within the ceded territory. No proclamation has been issued, and I presume it will be easily seen by a reference to the 7th article of the treaty, which provides for running a part of the lines embracing the acquired territory, that no steps could be taken on the part of the state until the stipulations of the treaty were carried into effect. Under this impression I published an address, a copy of which will be submitted for your information, and will I trust exhibit the correctness of the conduct pursued.

I recommend to your consideration the propriety of comprising into one, all the militia laws of this state, and I apprehend that much good might arise from your causing to be printed a sufficient number of pamphlet copies to furnish one to each officer of the grade of captain and upwards. The effects of this measure would be felt more directly and more beneficially, were it required of the captains to read the law at the head of their respective companies on each muster day, previously to entering upon training duty. By such a course, the whole body of the militia of the state, would acquire a more perfect knowledge of their mutual obligations in a department of the government, essentially involving principles, connected with the security of their dearest rights. That there do exist material defects either in the provisions of the law, or in the practice under it, is demonstrable in various parti-

culats, one, and not the least of which is to be found in the constant failure and irregularity of the returns made to the office of the adjutant general. To prove in part where substantial injury has been done to the state from this cause, I will refer you to the report of our efficient force, as returned to the department of war, in 1818, amounting to 29,193 only, which is at least one third below the real strength of the state. Upon this estimate has the head of the ordinance department declared in our favor, a dividend of 862 stand of arms, furnished by the United States, which are ready for delivery at Pittsburg when demanded. In the next distribution of arms, still greater injustice must inevitably be sustained, unless we should be more fortunate in receiving returns, than from the present appearances we have a right to expect.

I shall forbear to make further remark upon this subject, knowing that many of your honorable members are practically acquainted with the defects of the system, and believing that you will all heartily contribute your aid in the work of reform. It will however be proper for me to ask, before this subject is dismissed, what course you would direct me to pursue in procuring the arms referred to.—Where shall they be deposited? To whom shall they be delivered? And as it is made optional with us, to receive the whole in muskets, or a part in swords and pistols, you will say whether we shall require a part of each, and if so, what proportions. And furthermore, whether out of these arms a part could not be received in cannon, as some applications have been made to me for field pieces of a moderate size, by several of the citizen soldiers, who have views of forming themselves into artillery companies.

In obedience to the requisitions of an act passed at the last general assembly making provisions for running the boundary line between the states of Georgia and Tennessee, James S. Gaines, esq. was appointed mathematician, and gen. John Cocke commissioner on the part of this state, whose report I have the pleasure of laying before you, accompanied by an estimate of the total expense incurred in carrying the act into effect. The perfect good understanding which existed between the respective states through the whole progress of their official duties, gives an earnest of the correct spirit of liberality under which they acted, and of the general satisfaction which may be expected from their labors.

Soon after the adjournment of the last general assembly, I forwarded to the governor of Kentucky a copy of the act then passed on the subject of the boundary line between this state and the state of Kentucky, but have not yet been officially notified of any measures which have grown out of it. The governor of Kentucky did, however, furnish me with a copy of an act passed by the legislature of that state, on the 13th day of February last, which together with the communication of his excellency upon the subject, and a copy of my answer, shall be laid before you. The want of an appropriate fund, and the want of authority from the legislature to take any steps concerning the matter in the shape by which it was then prescribed, made it impossible for me to meet the views of Kentucky, and I hope the course I have taken in that particular will receive your sanction and approval.

Commissioners have been appointed in pursuance of the authority upon that subject, to examine the books of entries and surveys, in possession of the principal surveyors of this state. Major John Brown of Maury county, has been designated to

examine and report from the first, second and third districts; and as it was apprehended that the examination of the office of the register of West Tennessee, including the papers of the commissioners of office, there deposited, would be attended with much labor, col. Robert Weakley, of Davidson county, was added to the commission for that particular duty alone. Col. Francis A. Ramsey, of Knox county, has been commissioned to examine the books of the fourth, fifth, and sixth surveyors districts. and of the office of the register and commissioner of East Tennessee. These reports, embracing an exhibit of the aggregate amount of warrants adjudged valid by the different commissioners will enable you to judge with reasonable accuracy of the practicability of satisfying the legal claims against the state, within the tract of country ceded by the Chickasaw Indians. And should it eventually be found that there is a sufficient quantity for that purpose, (of which I have no doubt,) we have much reason to indulge in the hope, that at no distant day, the fiscal concerns of our state, will exhibit a course of prosperity, equalled by few of a like extent of population.

Notwithstanding some fruitless attempts have been made towards establishing a penitentiary in this state; yet I think it my duty to bring the subject before you, and with an earnest hope, that in your wisdom, and in your love for the principles and practice of humanity and justice, you will lend your aid in commencing a work which will do lasting honor to its founders. I am ready to admit that the policy of the early settlers of this country, was to encourage the most rigorous laws in all criminal cases, and when you avert to the occurrences of those days, you discover that criminal convictions were then, much more frequent than at the present period. This happens, not because crimes are less numerous now than formerly, but because the dispositions of men are more tempered to the spirit of sympathy and humanity, than in the early settlement of the country. It would however, be a humiliating catalogue, were I to present to you a list of those confined in prison, even at this day, many of whom stand charged with crimes of the highest nature; yet, judging of future probabilities from past events, it is reasonable to expect but very few convictions. In a lapse of nearly four years, three cases only have occurred, where the sentence of death has been pronounced. Two of these were pardoned, the other was executed according to law. Any uncommon solicitude which I may seem to have on this subject, will I trust be ascribed to an honest zeal arising out of a full persuasion of the benefits which would result to society, from the operation of a scale of punishment which would act upon the vices of mankind, in a way more reconcileable to the measure of the offence.

Should your honorable body after full inquiry become satisfied, that good policy requires the adoption of the proposed system, I would suggest the practicability of creating a fund for defraying the necessary expenditures, by a loan from the state bank, for a part or the whole amount of stock held by the state in the bank. This, by judicious management, would be sufficient to erect the first necessary buildings, which might be enlarged and improved in proportion as the good effects of the institution might be developed. The labor of the convicts themselves, has in some of the sister states, been applied in forwarding and completing their own buildings to a very useful extent, and the profits arising from their industry, and skill in mechanism, has in almost every instance where the system has

been tested, been found more than sufficient to cover every contingent expense.

The subject of improving the navigation of our rivers, and improving our roads and keeping them in good repair, will, I apprehend, occupy that portion of your attention, to which from its connexion with the best interests of the state, is peculiarly entitled. I am not sufficiently advised by the board of managers, appointed under the authority of an act of the last legislature, to give you any definite information relative to their progress. I have, however, understood that a considerable fund has been raised by subscription in aid of that which was appropriated by the act referred to. Any information which may hereafter come to me from the board of managers shall be laid before you without delay, and I flatter myself that the progress already made, will offer sufficient inducement, to continue upon a more extended scale.

I lay before you a list of the vacancies which have taken place since the rise of the last legislature, with the names of those to whom, in filling such vacancies, temporary appointments have been given. — The vacancy occasioned by the resignation of the honorable George W. Cambell, a senator from this state, in the congress of the United States, has been filled by the appointment of the honorable John H. Eaton. The vacancy occasioned by the death of the honorable Archibald Roane, one of the judges of the supreme court of errors and appeals, has been filled by the appointment of the honorable Thomas Emmerson. The vacancy occasioned on the circuit court bench, by the resignation of the honorable Thomas Emmerson, has been filled by the appointment of the honorable Samuel Powell. The vacancy occasioned by the death of the honorable Bennet Searcy, judge of the fifth circuit, has been filled by the appointment of the honorable Parry W. Humphreys. The vacancy occasioned by the resignation of the honorable Nathaniel W. Williams, judge of the third circuit, has been filled by the appointment of the honorable Jacob C. Isaacs. The vacancy occasioned by the death of the honorable Wm. Alexander, secretary of state has been filled by the appointment of the honorable Daniel Graham. The vacancy occasioned by the resignation of Abraham Looney, esq. of Sullivan county, one of the board of managers in opening the navigation of the rivers, has been filled by the appointment of Richard Gammon, esq. The vacancy occasioned by the resignation of James Rawlings, esq. notary public for Rutherford county, has been filled by the appointment of Alfred Moore, esq. The vacancy occasioned by the resignation of James Elder, esq. notary public for Montgomery county, has been filled by the appointment of Isaac Dennison, esq. — The vacancy occasioned by the resignation of John McClelland esq. principal surveyor of the fourth district, has been filled by the appointment of John Purris, esq. The vacancy occasioned by the resignation of Thomas J. Cambell, esq. solicitor general for the 5th district, has been filled by the appointment of James Rogers, esq. It is only necessary to remark, that the commissions by which those gentlemen hold their respective offices, will expire at the present session, and of course the duty devolves on you, to make permanent appointments in such way, as to you may appear best calculated to promote the public interest.

In behalf of the present officers, it is due from me to say, that so far as I have been advised of their public acts, they have met the general approbation of the people, for whose services alone they have been appointed.

In closing this communication I cannot repress an expression of my gratitude to my fellow citizens for the unwearied and honorable support which, in a long course of public life has never in one instance been withheld. These proofs of unshaken friendship ought to stimulate in the highest degree to an honest and zealous discharge of whatever duties may hereafter be required of me, relying on the support of a gracious Providence, and the continued good will and forbearance of my fellow citizens.

Matters of minor importance will be the subject of future communications; and nothing shall be wanting on my part which may give information to you, or dispatch to the proceedings of the legislature in the exercise of their high duties, and at a moment so interesting to the public welfare.

JOSEPH M'MINN.

Executive office, Murfreesborough,
Tennessee, 20th September, 1819.

Law Intelligence.

FROM THE PHILADELPHIA GAZETTE, OF SEPT. 2.

MR. ROLF.—The bank of the United States having assumed a position which, if *they* can legally defend, will no doubt be taken by other banks to the injury of the public, I send you a case decided in the circuit court of this district, before judges Washington and Peters, with this single observation, that if the resolution is persisted in, it will add a very serious evil to the trading interests of the community, and increase the catalogue of complaints, already too numerous, against that institution.

C. and Thomas Bullett, } Circuit court of the United
President & Directors bank of Penn. } States—third circuit and
Coram—Washington and Peters judges, at April } district of Pennsylvania.
session, 1808.

Case agreed.—The plaintiffs being bona fide and for a valuable consideration possessed of certain notes issued by this bank, and having occasion to remit money to Baltimore, cut them in halves, and in February 1806, enclosed the half parts of said notes to their correspondent in Baltimore, which were duly received—shortly after they enclosed the remaining half parts in a letter to the same person, which letter with the enclosures was carefully deposited in the post office at Louisville, in Kentucky, but the same with the enclosures have never come to the hands of the person to whom it was directed, nor has it nor the said half parts of the notes been since heard of by the plaintiffs.

The plaintiffs offer to the defendants ample and satisfactory security to indemnify them against all claims, loss or injury, which may happen on account of the said half parts of the said notes. Question, if the defendants are bound to pay the whole or what part of said notes?

Hopkinson, for plaintiffs, contended that the defendants were once indebted to the plaintiffs in the full amount of said notes and though one half is lost, yet evidence may be given of the loss and plaintiffs are entitled to recover on such proof as well as if they had the notes to produce—even proof may be dispensed with if the action stated the loss of the deed, and if the evidence support the allegation.

Marias 67, on bills, states, that if the bill be lost, the payee must proceed regularly to protest which could only be required on the ground that on proving the loss he might recover against the acceptor or drawer.

Ingersoll, for defendants, answered that were the defendants to pay the whole on the evidence of the half parts which are produced, they, might be made

liable to pay the other half whenever the other half parts appear.

Washington—This inconvenience could not happen—it is stated that the plaintiffs were possessed legally of the notes, *that they cut them and sent them by post* in half parts, at separate times; then it is impossible that any other person could acquire such a possession of the half parts which never came to hand, as to entitle him to an action against the defendants, because, should these half parts be offered in market by the person who found them to any third person, such third person taking them in payment, though for a valuable consideration, would not take them bona fide, because the very circumstance of their being but half parts, would be notice that the other half was in the hands of the true owner, or some person claiming under him, or at any rate he would take them under such circumstances as would subject him to every equity vested in any other person.

A note payable to bearer, is passed by delivery to a bona fide purchaser, but if there be any other thing on the face of such note sufficient to awaken suspicion and to apprise the purchaser that the person from whom he received it may not be the real owner, such third person takes the note subject to the right of such owner.

When half notes are brought to the bank, the enquiry how they came to be mutilated, and whether it was done by the real owner is proper, and the bank has a right to be satisfied as to the fact. Being so satisfied, then it is impossible that any other person can be entitled to claim upon producing the other half parts.

In this case, the fair ownership of the plaintiffs and the loss being admitted, they are entitled to recover the whole.

Judgment accordingly.

Bullett
vs.
Bank of Pennsylvania. } Case agreed.

The following was the opinion which was delivered in this case by judge Washington.

In this case, it is the opinion of the court that the plaintiffs are entitled to recover of the defendants the full amount of bank notes. The important facts agreed by the parties are— that the plaintiffs were at the time they divided the bank notes in question possessed of them bona fide and for a valuable consideration, that they enclosed the half parts in a letter to their correspondent, which came safe to hand and are now in the custody of the plaintiffs—that the remaining half parts were subsequently enclosed in a letter to the same correspondent, and the letter with such enclosures put into the post office, but that the same never came to the hands of the person to whom it was directed, nor has the said letter, nor has the said half parts of the notes enclosed therein, been since heard of by the plaintiffs.

Upon the general principles of law, a man does not loose his right either to real or personal property, or to choses in action by losing evidences of it: such loss may be supplied by parole evidence, if sufficient to prove the loss and the contents of the paper, and provided such evidence be the best which the nature of the case will admit—this rule does not in general apply to bank notes, or to other instruments which pass by delivery only, for in such case the payer might be twice charged, were he to be made liable to any person but the one who produces the note or instrument. This, however, being the only reason for the exception, it is to be seen whether it is applicable to a case like the present.

When the half of a bank note is presented for payment, the payer may very probably require the holder to account for the mutilated state of the note, and to prove that he came fairly to the possession of it. If the latter have it in his power to satisfy the former that he was the fair bona fide holder of the entire note, and that during such his possession he divided it into two parts, the production of one of the parts would establish his right to the full amount of the note, because in such cases it would not happen that any third person could fairly acquire the possession of the other half part. For if he took it in the course of trade and for a valuable consideration, still he would take it with notice that the right to the money might be in the possessor of the other half, and would consequently be bound by every defence which could legally be made against the finder or robber. Such person takes the half part of the note, not on the credit of the payer, but of the person from whom he received it.

Foreign Articles.

GREAT BRITAIN AND IRELAND.

Stocks, Sept. 10—3 per cent. consols, 70 1-8.

Parliament is prorogued to the 2d of November.

The harvest in England was considered as a middling crop.

Died, recently, at Birmingham, James Watt, esq. the great mechanic, and famous over all the civilized world for his steam and other engines—a man that was of more utility to the people of England than all their princes. He was 84 years of age.

It is now intimated that the princess of Wales, has been prevailed upon to defer her visit to England.

A bulletin of the 4th of Sept. states that the king of England continues in good health, but without any diminution of his disorder.

The greatest number of executions in England appear, from the papers, to be for sheep-stealing!

Another constable has been nearly killed by the exasperated people at Manchester.

Military trainings of the people, armed with pikes, are spoken of.

The frame-work knitters in Leicester, Nottingham, Mansfield, Loughborough, &c. have lately violently assaulted a number of persons whom they charged with having worked for less than the wages demanded. Thousands of the above trade were out of employ.

Large subscriptions have been made for the relief of the sufferers by the "Manchester murders." Sir F. Burdett had given 200 guineas.

The reformers in London have resolved to give Mr. Hunt a triumphal entry into that city, and a public dinner. The great room of the Crown and Anchor inn had been engaged for the dinner and the toasts had been arranged.

Manchester outrage.—The picture of the horrible scene at Manchester grows darker and darker, till terror seems to cover the canvas, and infamy lends her blackening hand to damn the deed.

From all the circumstances that have reached us, it appears, that the meeting was legally convened for legal purposes; that the warrant against Hunt was unduly obtained, and unjustifiably executed; that its execution by an armed military force was illegal; that the unprovoked assault by the military was contrary to law; and, as death ensued, the offence was murder; that to attempt, under any pretence, to suppress peaceable meetings, legally convened to petition or remonstrate, is an high crime, a breach of the fundamental privileges of Englishmen, and treason against the constitution. *Alfred po.*

London, Sept. 10.—Yesterday a court of common council assembled at Guildhall, to take into consideration the transactions at Manchester on the 16th ult. pursuant to the lord mayor's summons, issued upon a requisition signed by 34 members of the court. Seven strong resolutions, condemning the conduct of the magistrates and yeomanry of Manchester—(the first declaring "the right of Englishmen to assemble and discuss their grievances")—were carried by a majority of 71 to 45.

Four of the bills against the members of the yeomanry corps, returned by the grand jury, are said to have been rejected.—Two bills are said by Mr. Hunt to be "for dreadfully cutting off two women—one of them an interesting married woman, about 23 years of age, with a fine child in her arms, of about five months old, who had its brains nearly dashed out by the fall its mother received when she was cut down with the sabre of one of the yeomanry; by inflicting a wound of four inches long on her skull; and the monster rode back and had another cut at her as she and her child lay weltering in their blood?"

SIR ROBERT WILSON has addressed the following letter from Paris, to his constituents, the electors of Southwark:—

Gentlemen I should not only be unworthy of the honor of representing you, but I should be destitute of every manly as well as every constitutional feeling, if I did not address you to express my abhorrence of the late sanguinary and illegal transactions at Manchester, for sanguinary and illegal they appear to be, even according to the accounts published in the newspapers most favorable to the abuse of power.

I do not presume to dictate to you an course of proceeding, but if you think it expedient to assemble and record your opinions on this eventful catastrophe, I shall certainly sacrifice those personal considerations which detain me in Paris, and proceed to London to meet you on the day appointed.

I trust no magistrates will be found in the metropolis to order the military execution of their fellow-citizens, that no armed citizen will be found eager to massacre an unarmed multitude, without even distinction of sex; but as I consider the right of the people to assemble, to deliberate, and to resolve, as the foundation and bulwark of every other right, I am prepared to maintain it as becomes a guardian of the public liberty, and no fear of the consequences shall deter me from the performance of my duty.

It is, however, a consolation for me to think, according to the information I have been enabled to obtain on this subject, at this distance and date, that the government of the country was not advisedly implicated in the offences of the fatal 16th August. Access to the throne is, therefore, not barred, and the executive authority may be approached with a confident hope that an appeal to its justice will not be made in vain.

The crisis is most awful:—contending despotism and anarchy menace the empire with destruction; it can only be saved by the interposition of that body which is composed of citizens resolved to obtain the reform of the representative system, but who also are united for the protection of property, and the maintenance of the established institutions of the state. I have the honor to be, gentlemen, your obedient humble servant,
R. T. WILSON.

Paris, Aug. 27, 1819.

HUNT'S LETTER TO MR. WEST.

—Smedley-Cottage, Manchester, Tuesday morning.

"My Dear West—I returned here yesterday, af-

ter having been absent just a fortnight, the zealous reformers of Bolton having drawn the carriage the whole way, 12 miles, notwithstanding the rain fell in torrents. The public expression of congratulation as I passed through Manchester, was such as might very naturally have been expected; the petty vindictive folly of the worthy quorum proved that their malignant revenge was doomed to be of very short duration; and the exhibiting me thro' this country, 54 miles, under military escort, has produced an effect exactly the reverse of that which the impotent rage and folly of this humbled junta anticipated. I shall not suffer the grass to grow under my feet—to start with Mr. Pearson either this evening or to-morrow morning for Lancaster, that we may reach that town to hear the names of the grand jury called over in court before they are sworn; and if there be the least semblance of law left in the land, we shall prevent any of that notorious quorum who sent the yeomanry cavalry amongst a peaceable multitude to butcher unoffending men, women, and children, from taking their seats as grand jurymen; as bills of indictment for murder, and the capital offence of cutting and maiming, with intent to kill, under lord Ellenborough's act, will be preferred against certain persons, of whose guilt or innocence these gentlemen would be the least likely to be impartial judges.

"Mr. Pearson and sir Charles Wolsley have been indefatigable in procuring evidence, and assisting the wounded, &c. I saw a list of 150 last evening who have received wounds, and the majority of them from sharp keen cutting sabres. I saw one man here with his shoulder-blade cut in two; another with the fleshy part of his arm, just below the shoulder, with a wound seven inches long, and cut so deep as to injure the bone materially, several splinters having been extracted. One poor woman has her left breast taken clear off, leaving her ribs bare. One man with his nose off; one with his ear cut off, close to his head, which he actually picked up and carried home in his pocket. I have not the least doubt but there are 200 persons, men, women and children, who have received various sabre wounds. I myself had a slight cut in my head; and having received several chops upon my hat, I have examined in this morning, and find there are two cuts quite through it; the swords must have been as sharp as razors.

"Mr. Pearson has given notice to the commanding and other officers of the yeomanry, as well as the magistrates, to have a muster, that some of them may be identified. But as this district is under martial law, of course they paid no attention to it. Mr. Pearson went to see a man yesterday who had both his shoulders and one elbow dislocated, and three bad sabre wounds, most of which he received whilst upon his knees, suing for the mercy of the wretch who inflicted them. It would have been worse if it had not been for the regulars, who were heard to threaten these cowardly ruffians with summary justice, if they did not desist from murdering the flying people. No language can express the horror felt by all reflecting persons of all parties, at the excesses committed.

I am, sir, yours, &c.

"H. HUNT."

In a letter from Mr. Hunt to the magistrates of Manchester he says:

"As for the Manchester yeomanry, they were all in disorder before the charge; and if the people had chosen to resist, the men who had the flag staves would have unhorsed and taken them every one prisoners, if they thought proper. But the

people had been instructed not to resist. Whether this were wise advice or not, remains to be proved."

Female reforming society of Stockport.

On Monday evening, 19th July the second meeting of the members of this institution took place in the large room at the Wind-mill in Stockport, when Mrs. Stewart, moved that Mrs. Hallworth be president; she knew from her well-tried principles, that she was the most proper person of any other she could propose; her acquirements duly qualified her for the office, and if accepted, she was conscious she would give every satisfaction.

Mrs. Hodgson seconded the motion, when it was immediately put, and unanimously carried.

Mrs. Hallworth accepted the honor they had done her with becoming modesty; she then addressed the assembly:

"Ladies and gentlemen,—before we proceed into the business of the evening, I desire that the gentlemen will withdraw; it is not done with a view to transact any thing of a secret nature, for it is commonly said that women can keep no secrets, but merely with a view, that if in our debates (for it is something new for women to turn political orators) we should, for want of knowledge, make any blunders, we should be laughed at, to prevent which we should prefer being by ourselves." [Their male brethren immediately obeyed, and she proceeded on.]

"Ladies, you have this evening placed me in a situation which I never occupied before. I kindly thank you for the honor you have done me, but cannot help observing, that I am a very unfit person for the office; but as you have placed me here to protect order and peace, I will perform the task as well as I am able. I assure you that I am determined to dedicate to liberty, my heart, my body, yes my very life."—(*Unbounded applause with cries of "liberty."*)—"I am young, but ladies, young as I am, I can assure you that the borough villains have furnished me with such a woeful life of wretched experience, that I can feel for my injured plundered countrywomen. This feeling is so acute, that an eternal war is waged betwixt us, which will never end but in the emancipation of a distressed and overburdened people from slavery to liberty."—(*Reiterated applause.*)—"These are sentiments I imbibed when almost a child, and as I grow old the grumbling spirit grows stronger, (*loud laughter*)—I thank you, ladies for your kind attention, but assure you I do not look for your applause.—Applaud me not; it cannot please me, for I consider it is my duty to use every ability in the cause, without receiving any reward at all for my weak endeavors. It is a good cause, it is the cause of God: we therefore are sure to triumph. Seeing, then, that it is the common cause, let us all unite, and never cease from persevering in a cause so just and holy, until we fully possess those constitutional liberties and privileges which are the birth-right of every English man and woman.

The close of this speech was followed by every demonstration of applause.

We are sorry to say we could not learn the name of the lady who next addressed the assembly: she spoke nearly to the following effect:—

"Mrs. president and ladies, I consider it a piece of the greatest absurdity and presumption in me to attempt saying any thing, after hearing such a display of female eloquence from the chair, in consideration of which I will not detain you long, but briefly state what I have to say in conjunction with my worthy sister. I will act; it is a good cause, I affirm it in the most positive terms; it is the common

cause, and a cause that only requires a little more attention paid to it to make it victorious—yes! the cause of liberty certainly must be from God, and if from Him, who can stand against Him? If God is for us, who can be against us." Then hail, sweet liberty—expand thy virtues, into the breast of every female in this once happy land! let sacrifices be made in every town and village in the kingdom unto thee, that thou may once more take thy empire in the breasts of a brave but enslaved people. (*Applause.*)—I understand that the intention of this union is to co-operate with other unions for the general cause, and to give relief to incarcerated victims who are suffering and are likely to suffer. I need not say that it is to be feared you will have to look to our worthy, patriotic, and brave friend, the rev. Jos. Harrison, who, it is said, has a bill found against him for doing, the devils themselves do not know what, at the last Stockport meeting." As soon as Mr. Harrison's name was mentioned, an involuntary torrent of tears was the event. After a few moments of profound silence, cries of "Harrison and liberty for ever!" proceeded from every part of the room.

The business then proceeded on with the last speaker moving.

"That the female union co-operate with their male brethren in relieving those unfortunate individuals now confined in Chester castle, Messrs. Bagguley, Johnson and Drummond; and all who may in future be incarcerated for advocating the cause of the people," which was unanimously carried.

Miss Whalley addressed the meeting as follows:

"Mrs. President and sisters, I love liberty and hate slavery; I know too truly the horrors of the one, and the virtues of the other. If a boroughmonger were to come to Stockport, and be compelled to weave for his living, he would more impatiently, when he saw he could get nothing more than a mess of pottage for his labor, cry out for liberty and reform! as well as those who are called the incorrigible swine, the disaffected, and the lower orders. I will not detain you: I have only to say, that I could wish us to have a cap of liberty, and present it at the next public meeting, as our sisters at Blackburn did at theirs; and that we form the determination to bring it victoriously back again, or lose our lives in its defence."

The following persons were properly elected to act as a committee for the union:—

Miss Goodier, Miss Knowles, Miss Lowe, Mrs. Hodgsons, Miss Whalley, Mrs. Kenworthy, Mrs. Rhodes, Miss Longston, Miss Johnstone, Mrs. Stewart, secretary: Mrs Hambleton treasurer.

A vote of thanks was then given to Mr. Lawton, grocer, Hill-gate, and to Mr. Sanderson, shoe-dealer, opposite Bulkeley Arms Inn, Stockport, for voluntarily stepping forward to give bail for sir Charles Wolsely, bart. Carried by universal acclamation of "Wolsely and Liberty."

A vote of thanks was then passed to those seven patriotic individuals, who have tendered themselves to come forward to give bail for our worthy friend the rev. Joseph Harrison. Carried by unbounded acclamation of "Harrison for ever!"

A vote of thanks was then proposed to their worthy presidentess, which was carried in the usual way by acclamation.

The presidentess then replied—"Ladies, I do assure you, you have so wounded me by the kind attention you have honored me with, that the load overwhelms me with such a sense of obligation, that I cannot express my thanks. Suffice it to say, that this mark of esteem I will ever dearly cherish

in my heart. I can only say, that it will be a fresh stimulus to spur me on with greater avidity in the common cause. Go peaceably home, for fear of furnishing the boroughmongers with materials for another green bag. A plot is what they are (as Cobbett observes) dying for; and the only plan to frustrate their hellish wish, is to act constitutionally in all your undertakings."

The meeting then dispersed about half-past 10 o'clock, highly pleased with the proceedings of the evening.

Insolvent debtors court. On Thursday a debtor, named Fenlon, was opposed by his creditor, on the ground that he had not accounted for near 200*l*, which he had received for a curious purpose, namely, that of procuring the old gentleman a matrimonial connexion. The debtor stated, in answer to inquiries, that he had expended the money in procuring meetings between the creditor and different ladies with whom he was desirous of uniting in wedlock. One of the ladies was a *black*, and upon a particular occasion the creditor danced upon a table for the amusement of a large party of females at Richmond. The investigation of these transactions afforded much mirth in court. The opposition failed and the debtor was discharged.

London pap. Sept. 3.

FRANCE.

A letter from France, observes—"In this country we have fine weather, the prospect of a good harvest, and the certainty I think that the liberty of the people, for a time at least, will prevail. The despotic governments around us are alarmed at the march of public opinion in France. They tremble, and with reason, for it is scarcely possible that the liberty of the press can exist in so powerful a country as this without opening the eyes of those who border on them. The ancient nobility and clergy, especially those who have returned here since the peace, have since been making efforts to place the government upon its old footing, nor are they yet disposed to let the people alone. They have had one terrible lesson—and can they want another?

A congress of ministers is about to assemble at Carlsbad—what is intended to be done you know as well as myself. Several *tubs for the whale* have been already thrown out. It is said they mean to reduce the armed force of Europe: a very good thing for the people on whose shoulders they stand, and who are sweating under the enormous load of taxes required to support them. But who is to make the beginning? It is about an equal chance that they decide the question by fighting.

Whatever may be done elsewhere, be assured that France is fast recovering herself, and that she will soon be called upon to take an important part in the affairs of Europe. The nation, I grant, is naturally fickle, fond of a change; but as some excuse, at least, let it be recollected that they have had every thing to deal with from '92 to the return of the king, and even to the last year, for the country being under military occupation could hardly have an opinion.

NAPOLEON BONAPARTE.

Madame de Montholon, one of the ladies who accompanied Napoleon to St. Helena, has arrived in England. The only French female now left with the Ex-Emperor, is Madame Bertrand.

SPAIN.

It is officially announced that Ferdinand is to marry a daughter of the king of Saxony.

The sailing of the grand Spanish expedition from Cadiz, is definitively fixed for the 15th September!

There was lately posted up on the gates of the in-

quisition, a bill containing, in large letters, the following words:—"This house to let from 1st January, 1820!"

"Two mails from London to Gibraltar have fallen into the hands of the Guerillas, who are stated to be in force in the southern provinces of Spain. These circumstances had occasioned much commercial inconvenience."

The yellow fever is raging at Cadiz, and is said to be extending itself beyond the cordon of troops stationed to arrest the progress of—the *atmosphere!* All communication with Gibraltar was prohibited.

Persons passing through the streets of Murviedro, the ancient Saguntum, are assailed by the cries of people suffering the torture. Hundreds are said to be immured in the dungeons at this place. The *holy* inquisition is engaged in the pious work of murdering the free-masons.

Irati, (Spain), Aug. 19.—The expedition at Cadiz is to sail the end of September. It is to consist of 22,000 men.

There still prevails much agitation in the kingdom of Valencia; the roads in Estremadura are not safe. The Portuguese, under the pretext of securing their frontier against the depredations of the Guerillas, have formed a cordon from Almeida to Elvas.

ITALY.

A letter from Palermo, dated June 23, says—"All the present conversation in this place, indeed I might say in the island, turns to the orders sent by the king, a short time ago, to make a conscription in Sicily. The objection shewn on the part of the Sicilians to serve as soldiers, is certainly no ways calculated to impress other nations with a very exalted idea of their military courage. They, however, excuse themselves on the following grounds: they say, for many, many centuries, it has been a privilege enjoyed in Sicily, and guaranteed by the sovereigns, that no Sicilian shall be forced to serve as a soldier. Indeed, this privilege was purchased by paying certain taxes, which I believe are still paid, and has accustomed the people to have such a contempt for being a soldier, that it has given rise to the following proverb among them—"Meglio essere perco che soldato." This is sufficiently expressive, I think, of their sentiments. Next, they say, that in many proclamations during the war against the French, they were encouraged to defend themselves against them, otherwise their children would be subjected to the conscription, and made soldiers of; and now the king wishes to do the same thing. Lastly, that during a most desperate war, this measure was never resorted to; and now, during a profound peace, a requisition of men is demanded. How far their reasoning is right, I shall leave others to determine, and shall proceed to relate the consequences which have arisen therefrom.

As the law excludes all married men, the lower classes of society, in particular, availed themselves of this exemption; in the course of a few weeks 10,000 couple and upwards have been married in this city alone; and so on, in proportion, in the remainder of the island; and when I tell you that, in general, three-quarters of this number have not the means of maintaining themselves, I leave you to judge of the consequences in a few years. Many had not even a bed to sleep on; a very considerable number were obliged to borrow a coat, or some sort of clothes, to be married in; several hundreds were married who only saw their intended wives a few days before; some the very day on which they were united; others, to save their children from

conscription, married them to women of 74, 76, and even 78 years old; the wife agreed to receive a few taris per day and never live with, much less see, their husbands. It is asserted, I know not how truly, that, by means of false certificates of names, in more instances than one, two men, one dressed as a woman, have been married, and that a mother married her own son, under certificate of some woman's name who was dead, to save him from the requisition. In short, all the horrid, whimsical, and even tragical, scenes that occurred on this occasion, would far exceed the limits of a letter, and the consequences hereafter will be most dreadful.—Adopted sons, young men who have diplomas in any of the faculties, the clergy, and a very long list of bodily defects and complaints, being also declared exempt by the law, I need not say that the superior and middle classes of society have had recourse to them, and by means of money have mostly been able to prove some one of these exemptions. Fine times for the university, the physicians, &c. &c. It is actually conjectured that the number required by the law, although small, will not be able to be raised here. Some persons assert, that the number of marriages in all Sicily amount to 80,000. I cannot venture to say how far this is correct. In a few instances I understand that some the old women who were desired to marry a young man, under a promise of receiving two or three taris per day, and live separate after the marriage took place, refused to keep the agreement, and insisted on living with their husbands; and a judge ordered the husband to allow his wife a maintenance suited to his means, if he did not like to live with her; by which sentence he was obliged to double and treble the original sum.

NETHERLANDS.

The merchants at Amsterdam have raised five millions of guilders for the purpose of opening a canal from the IJelder to that city, a distance of 50 miles, by which the largest ships will be enabled to proceed and discharge their cargoes at the city and thereby avoid the great expense and pillage attending the present mode of transporting by lighters—the work commenced in May, and upwards of 20,000 men have been constantly employed in its prosecution.

PRUSSIA.

Some journals have been suppressed by the king for having exhibited *too much insolence*. Many arrests of suspected persons had been made and were making.

SOUTH AMERICA.

It is said that the British prisoners made at Porto Bello, when McGregor's disaster took place there, formed a plot at Panama to escape, which being detected, caused two of them to be shot. They designed to have joined the Chilean fleet.

Lord Cochrane has captured *Petit Callao*—and made prize of a vessel in the port with 10,000 dollars on board. He had also captured a vessel from a port in Para, with 70,000; and an American schooner laden with military stores, on Spanish account, valued at 80,000. It appears that he was about to return to Valparaiso; and may be considered as having failed in the objects of his expedition.

There was a report at Havana that the Spanish government brig *Fernando* had captured an "insurgent" vessel called the "*Pagaro*," after a combat of 4 hours—and that all the prisoners were put to the knife! The victor had 25 killed and 50 wounded.

About 450 prisoners captured in "insurgent" vessels, are said to be at Porto Rico.

CHRONICLE.

The U. S. sloop of war *Peacock*, went to sea from Hampton Roads on Saturday last.

The pirates, noticed in our last as having been brought to New Orleans by the U. S. revenue cutter *Alabama*, capt. Loomis, were committed to prison. A stir was made to liberate them, as patriots, by writs of *habeas corpus*, but it does not appear that they were enlarged at our latest dates. Their vessel, it seems, belonged to *John Lafitte*, and was commissioned at Galvezton; and gen. Long, commander of the adventurers in Texas, is said to have approved of her equipment. They deny the enormities imputed to them, and say that they did not fire upon the cutter but defensively, and that none of their crew were killed—but this differs from the account on which we rely; and if what is said of them is true, we hope that none of them will escape.

New Jersey election. The republicans maintain their ascendancy, with increased majorities in this state—but the returns are not yet all received.

Pennsylvania election. From the returns which have reached us, the next general assembly of this state will apparently have an increased republican majority. The republican ticket, as well for city as state officers, prevailed in Philadelphia, by a majority of about 300 votes. Col. North, a meritorious soldier of the revolution, was elected sheriff by a majority of thousands. *James M. Barker*, esq. (rep.) has been elected mayor. The salary of this officer will probably be reduced from 3000 to 2000 dollars a year.

Delaware election. Mr. Molleston, federalist, is elected governor of this state by a majority of about 600 votes. The strength of the parties was not tried on this occasion.

Indiana election. Mr. Jennings is re-elected governor by a large majority. For Mr. Jennings 9529; for Mr. Harrison 2736.

Illinois. A sale of lots in Vandalia, the intended seat of the government of the state of Illinois, has taken place—150 lots were sold, at an average of \$234 22 each. Highest price for a lot, \$780.

Cholera morbus. The surgeon of the French frigate *Arethusa*, while lying at Annapolis, a few days since, transmitted for publication the following remarkable cures:—

"During our stay at Annapolis, a great many of the crew of the French frigate *Arethusa* were attacked with cholera morbus, which was quick put a stop to by the use of rice water, very strong, with much sugar and a little laudanum in it, drank plentifully. Out of one hundred and forty sick, only one died.

New Orleans. The yellow fever raged severely in this city at the date of our latest accounts, Sept. 20. One man, apparently in perfect health at a certain period, died of it in 14 hours afterwards! The deaths were about 20 per day—some say 60!—It is peculiarly fatal to strangers.

• *Mr. Jefferson* was dangerously ill at Monticello on the 11th inst. but his disorder had yielded to medicine, and his recovery was hoped for.

Died recently, at Fairfield, Con. Jonathan Sturges, esq. a member of the first revolutionary congress, and a steady whig. He had for many years officiated as one of the judges of the supreme court of Connecticut.

✂ P. S. We have just received a very able article in support of the proceedings of the state of Ohio, respecting the branches of the bank of the United States, located therein—which presents the subject to us under new views, and will claim an attentive perusal. It shall appear in our next.

NILES' WEEKLY REGISTER.

NEW SERIES. No. 9—Vol. V.] BALTIMORE, OCTOBER 30, 1819. [No. 9—Vol. XVII. WHOLE No. 423

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

BALTIMORE.—The encampment near this city was broken up on Monday last, and the people have returned to their former homes on Fell's Point, which is now considered as restored to its usual health.

The mayor and board of health, and the commissioners who took charge of the poor, as well as persons under their respective employ, merit and receive the hearty thanks of our citizens for the zeal, fidelity and affectionate tenderness with which they performed their several duties, during the prevalence of the late epidemic.

The generous people of Taneytown and its neighborhood, in Frederick county, Maryland, transmitted to the commissioners for superintending the late encampment of poor families, twenty barrels of flour, and large invoice of clothing and other articles, for the use of those who needed them; and have received the public thanks of the commissioners, in the name of the people of Baltimore, for their liberality.

HARD TIMES!—Considering the general depression of business and the deranged state of the currency in many parts of the United States—the editor has not, for a long time, said much about *his own* affairs. In the *cure* of the mania for manufacturing paper money, that lately raged so extensively, he was very certain that he would suffer much more than one man's share; yet he was contented to bear it, that the common evil might be lessened or removed. In evidence of this the fact may be stated, that the receipts at this office, on account of the present year's business, &c. for September and October, (our harvest months) have hardly amounted to one third of the sum paid to us in the same period of last year, though the apparent prosperity of the establishment has been increased. This great reduction produces some unpleasant embarrassments, and the editor respectfully solicits that his agents and subscribers will make an exertion to relieve him of them.

H. NILES presents his thanks to the editors of many newspapers, for the very honorable manner in which they have been pleased to call the attention of their readers to his prospectus for publishing the *Revolutionary Speeches, &c.* and is happy to inform them, that the work is now receiving a degree of encouragement which certainly shews that "THE PRINCIPLES OF THE REVOLUTION" are not wholly out of fashion.

SPAIN.—We have not any thing new in respect to our relations with Spain, since our last, that serves in the least to indicate the course that will be pursued by either party, on account of the non-ratification of the treaty. The papers teem with editorial speculations—some say there will be a war, some say peace—and others strike out a course between peace and war, by giving out the idea that it is *understood* we shall take possession of the Floridas with the tacit consent of Spain, reduced to this humiliating course by the extravagant pretensions and assumptions of Great Britain; and others imply that this course is dictated by an intrigue of the Spanish court, under the supposition that, if the

United States thus takes possession of the country, we shall be bound to respect the claims of certain favorites to vast tracts of land ceded to them by Ferdinand, which the provisions of the treaty occluded. But all these seem to be merely *notions*, and we must wait patiently for official instruction. The squadron under sir Thomas Hardy, which has lately sailed from England, is supposed by many to be in some way connected with the matters between us and Spain; and some think that if the U. States possess themselves of the Floridas under this *understanding* with Spain, that Great Britain has resolved to seize upon Cuba. The fact if true as stated, that Mr. Forsyth has taken up a *permanent* residence at Madrid, shews us that a rupture with Spain is not expected by him.

Brackenridge's voyage to South America.—This interesting work is just now published in two neat 8vo volumes, price five dollars. Some extracts from it have been presented to the readers of the REGISTER, and we venture to say that it contains a greater mass of important information respecting the countries visited, than ever before, and all together, was known to the people of the United States. Every body is acquainted the fitness of Mr. B. for a work like this; and he has executed the task in his very best manner.

Ohio vs. the Bank of the U. S.

The act of the state of Ohio, for taxing the branches of the bank of the United States located therein, and the proceedings had in obedience to it, by which the tax was positively collected and deposited in the state treasury, it is probable will be the subject of more important political and legal discussion, than any other event that has lately occurred; and, as well, only account of the great merits of the case at issue, as for the instruction that must be expected from an investigation of the things that are relevant to it, I shall freely insert a sufficiency of the articles presented, to enable my readers to obtain a clear understanding of its bearings on either side.

After considering the following letter and its enclosure, I frankly confess that if not convicted of error, I have at least been brought to a serious pause in regarding the merits of the controversy between the state of Ohio and the bank of the United States. I am not a lawyer, but it seems to me that it must be rightful (because the fact occurs daily before all our judicial tribunals), that an establishment of the principles of a law by the decision of a court, by no means divests any one who supposes himself aggrieved, from bringing what is, apparently, the same subject again before the court in the hope that, by new lights afforded, a different decision may be had,—*admitting that the opinion of a court is the law*; and we know that by these means such decisions have been frequently obtained; and if it is at the discretion of any person, having a subject to litigate, to become the plaintiff or the defendant in the matter at issue, he may take his choice, and manage his suit in his own way, according to the customary forms that belong to such matters.

without being suspected of a "rebellious" spirit, or losing his character of a good citizen.

These views of the subject are fully set forth in the articles that follow, and we incline to the belief that many of us were materially mistaken as to the *spirit* of the act of Ohio. The opinion of the court, if it is the law, was not *officially* known to the state—the state was not bound to know that such a decision had been had; and all that can be done we would apprehend is, that the supreme court, (if the case can be brought before it,) may confirm its decision as in that of *McCulloch vs. the state of Maryland*, as applicable to the transactions in Ohio; and if, as it is stated, the case cannot be brought before that court, there is a defect somewhere that ought to be remedied immediately. On the whole, I am ready to conclude, that the affair is "*nothing more than a legal controversy and must terminate as all other legal controversies do*," and if it shall appear that the bank can be *legally* driven out of the state, we shall sincerely rejoice at it, as the establishment of a precedent to *regulate* its march to DOMINION.

The following is the *private* letter of the author of the annexed communication, and, of course, not intended for publication—but as it contains several things that may interest our readers, we have ventured to give it, just as it was presented to us, leaving out the name and address of the writer.

MR. NILES.—The enclosed article is sent to you for publication. It is my wish to place the subject in a fair point of view, and to remove the impression that this is a controversy between the state and the United States, or the United States' court. It is clearly no such thing; and no consequences can result, that can at all embroil the general and state governments. The view we take of this question has not yet been presented to the public. We are not without hopes that the federal court, upon reconsideration, may change their opinion. But we mean to insist upon that court obtaining jurisdiction by legal measures. We make no case, we accord no consent.

Probably this subject may again come before the state legislature. If the bank will agree to remove her branches, and give her debtors a reasonable time to pay their debts, the state will refund them the money. If this is not done, the legislature will probably prepare a review of the doctrines maintained for the bank, and attempt to refute them, chiefly upon grounds as yet but partially touched. This review will be addressed to the different state legislatures, and a proposition will probably be submitted for the states to call upon congress to pass a declaratory law upon the question of their stipulating in the charter an exemption from taxation. A proposition will also be submitted to amend the constitution, so as to limit and define the powers of congress in granting charters of incorporation. You may rest assured that there is no danger of the general government attempting any interference by force or otherwise. They cannot possibly act upon the state. Nor can the bank ever recover back its money. And to the suits for the recovery of debts due them, brought in the U. S. circuit court, the defendants have pleaded in abatement their incapacity to sue in the federal courts. This objection is founded upon the constitution, and is considered by all sound lawyers here to be unanswerable. If this corporation sue upon a note, the case does not arise under the constitution, or a law of congress—and some of the stockholders, being citizens of this

state, they cannot be brought within the other provisions of the constitution. To suits brought in the state courts, the defendants have pleaded that they are no corporation, not having complied with the provisions of their charter.

I wish you distinctly to understand that we regard this corporation with not a whit more reverence than if they were associated by the more appropriate name of "the society of English, Dutch and American pawn brokers and paper shavers." By becoming one of their associates in trade, the United States confers no privilege upon them; but sinks to their level. This is the character in which all the parties must be viewed, in determining their legal and constitutional rights—and all these things are perfectly understood among us.—The reign of paper and paper barons is done over here; and while we despise the domestic tribe, we are not to be brought to reverence any others of the same class.

State of Ohio, October 16th, 1819.

MR. NILES.—The manner in which you have noticed the conduct of this state, in proceeding to collect the tax assessed upon the branches of the U. States bank, has struck me with some surprise. I refer to your few remarks in the REGISTER of the 2d instant, which, although they appear to be founded upon an impression that an injunction of the federal court had been disregarded, are such as, even in that case, I had not expected from you.

We do not know *here* how the case of *McCulloch and Maryland* was got before the supreme court. We do not know that there was any *real* case; nor do we know, except by report, there was any such case decided. If the extraordinary doctrines, promulgated as the opinion of the supreme court, in that case, were really advanced by that court, still this state is not concluded by them. The most important principles are frequently drawn into discussion and decided upon in a controversy between obscure individuals: But if others, not parties to the controversy, claim property upon the same principles, and do not choose to abandon their claim without adjudication, their proceeding to assert their pretensions is never considered disrespectful to the court or a violation of the duties of good citizens.

Here we think there is nothing in the character of the bank of the United States to distinguish its pretensions from those of other citizens. We are not willing that it shall be exempted from the operation of our laws, until we know *why* and *wherefore*. If we are really liable to be dragged before the supreme court, we have reason to apprehend that our rights may have been prejudiced, but surely they are not, therefore, annihilated. We know there have been cases of individual controversy in which the parties did not acquiesce in the decision of that court, and yet escaped both the imputation of folly and rebellion; and we believe that cases may be found, in which the supreme court of the United States have changed their opinion. We consider the subject as open for us to litigate; and in proceeding to execute our law, we give an occasion to test the doctrines of the supreme court by a practical application to a real case—and of this we conceive that no man has a right to complain.

It is thought that the tax we have collected is enormous—it was avowedly intended as a penalty. To tax, so as to prohibit, is one of the purposes to which all governments have applied the power of taxation—and, where the power exists at all, it may rightfully be thus applied. It was an act of temer-

erty in the bank to incur the risk; and in doing so they have given a further evidence of the alarming character of their pretensions. Upon a subject of so much delicacy and of so much importance, a little respect for state pride, and a little deference for state opinions, might very properly have been manifested. The law took effect upon the first of September: the legislature meets on the first Monday of December. The branches were really transacting no business. By suspending their operations and founding an appeal to the moral sense of the state legislature, upon the decision of the supreme court, a repeal of the tax might have been effected. Instead of this they preferred to attempt dragging the state before the federal court; and it would seem as if they were more intent upon triumphing over the state sovereignties, than they were upon continuing their business or protecting their property.

You will have seen from our papers that it was not understood by our auditor that he acted in contempt of an injunction of the circuit court. In my opinion this does not vary the case. He ought so to have acted. The power assumed by the circuit court, to prohibit the collection of the tax by injunction, I regard as the most alarming feature of the whole transaction. I have now before me a copy of the proceedings, and I think a few extracts from them may serve, at least, to amuse you.

The bill commences by stating the act of incorporation, and the organization of the company under it, and then proceeds to recite the 14th section, authorising the establishment of branches. It then sets forth the establishment of the two branches in Ohio, their commencement and continuance in business, and proceeds as follows:—"But now so it is, 'may it please your honors, although said two several offices were established as aforesaid, as well they ought and lawfully could be, still the legislature of the state of Ohio aforesaid, contriving and intending how to injure and oppress your orators, and more especially to deprive them of their goods, despoil them of their monies and effects, and completely check the existence and operation of the two several offices established as aforesaid, passed at their last session," &c. [reciting certain parts of the act levying the tax—after which it runs on thus: "Your orators state that one Ralph Osborn, who resides at Columbus, in the state of Ohio, is the auditor of the said state and the officer upon whom the execution of the last referred to act is enjoined, and your orators are informed and believe, that the said Ralph Osborn, auditor as aforesaid, daily gives out in speeches that he will execute and enforce the 'provisions of said act of Ohio against your orators'"]—[Here follows some formal matter in the same style, when comes the prayer for an injunction, as follows]—"Your orators pray your honors to stay and enjoin said Ralph Osborn, auditor as aforesaid, and all others whom it may concern in any wise, from proceeding against your orators under and in virtue of the act of Ohio as aforesaid, or any section, part or provision thereof. And, particularly, that your honors will enjoin said Ralph Osborn, auditor as aforesaid, from charging the bank of the United States, on the 15th day of the present month of September, or on the 15th day of September in any year hereafter, with a tax of fifty thousand dollars upon either of the offices established in the state of Ohio by the directors of the said bank as aforesaid; that your honors will also enjoin said Ralph Osborn, auditor as aforesaid, from making out any warrant, or appointing or authorising any person or persons to execute all, either or any of the

"provisions of the said act of the legislature of Ohio against your orators, or either of the offices established in the state of Ohio as aforesaid."

It must be recollected that an amendment to the constitution of the United States provides, "that the judicial power of the United States shall not be construed to extend to any suits, in law or equity, commenced or prosecuted against one of the U. States, by citizens of another state, or by citizens or subjects of any foreign state." The proceedings just recited are against the state. The party complained against is the legislature. The person enjoined is the auditor of the state. The act prohibited is the execution of "all, either or any of the provisions of the act of the legislature of Ohio." A state is a mere abstract entity, and can only be acted upon through its officers. Here is a suit brought against those officers. Process of the federal court is interposed to controul the collection of the state revenue, and to prohibit, in express terms, the state officer from executing the laws of the state. If the federal court possess this power in one case, or in favor of one set of persons, where is the limit of this power to be found? The non-resident land-holder may say the tax upon his land is unconstitutional, and call upon the federal court to prohibit its collection. The Yankee tin-cart-man may take the same ground and make the same application. The alien vender of foreign goods has the same rights—nay, there is scarcely a subject of state revenue, but some branch of its collection may be brought under federal cognizance and arrested.

In the celebrated Olmstead case the federal court set up no such doctrine. They say in that case that "the state cannot be made defendant to a suit brought by an individual. But it remains the duty of the courts of the United States to decide all cases brought before them by citizens of one state against citizens of a different state, where a state is not necessarily a defendant." And they sustain the jurisdiction of the federal court in Olmstead's case upon the express ground that "the suit was not instituted against the state or its treasurer, but against the executors of David Rittenhouse." But here "the bank of the United States" is a party; and so much are we dazzled and confounded at its importance, as to forget constitutions and principles, and every thing heretofore held sacred!

The solicitors of the bank made a blunder, it is supposed, in serving the injunction: the warrant was issued and the money collected. The injunction prayed for in the bill, and allowed by the courts, was to prohibit charging the tax and making out a warrant, and appointing a person to collect it. After the collection was effected, the solicitors of the bank took from the clerk an injunction of quite another character. Besides the acts enjoined, they added an injunction against paying over the tax or making a report of its collection to the legislature. For this the order of the court, allowing the injunction, gave no authority; and it is another proof of the extent to which the agents of the bank supposed themselves authorised to controul the proceedings of the state by injunctions from the federal court.

I am accustomed to respect judicial decisions. I am no advocate for rash or intemperate proceedings. But I do seriously believe that no state ought to submit to this kind of proceeding without some efforts to resist it. To obey the injunction: to enter an appearance to a suit and become a voluntary litigant in the federal court, in my opinion, would be yielding more than half the ground. The state cannot be made defendant. But she can voluntarily be-

come one—and then, perhaps, the objection to the jurisdiction would be too late.

Since writing the foregoing I have seen your Register of the 9th, and also the National Intelligencer's remark, that the authors and abettors of this measure have much to answer for. I am really amused at Mr. Gales' apprehension of a tragical termination of the farce. I have ever regarded the measure as a serious one, yet in reality it is nothing but a matter of judicial investigation and stands upon the same footing as other cases.

The bank says a trespass has been committed upon them, and they refer to the opinion of the supreme court in the case of McCulloh and Maryland. The state says no trespass has been committed, we know nothing of the decision you refer to. If your privilege depends upon the decision of the supreme court, call upon that court for redress. We oppose not force to judicial decisions before competent tribunals, where we are parties. When you obtain the judgment of a federal court against us, we will pay you the money back: until then we shall keep it. But a state cannot be sued, and the individuals are irresponsible. This leads to no tragical termination, however it may render ridiculous certain doctrines of federal sovereignty and bank omnipotence. "*The authors and abettors of this measure*" know well the ground they stand upon. They make no case for the opinion of the supreme court. They deny the power of the federal courts to enjoin the officers of the state in executing the state laws; they are prepared to resist the exercise of that power until, in a case fairly forced before them, the supreme court of the United States shall sustain it. They believe this never will be done. But if it is effected they are prepared to submit. They deny that the federal court can proceed against them for the collection of the tax; they are prepared to contest every inch of ground: but when the case is decided against them they will attempt no resistance by force. They deny that congress can authorise the bank of the United States to sue in the federal court—if this point is decided against them they acquiesce. In short, they know that the bank, like an individual, must seek redress at law—at law they are prepared to meet it; and when the case is adjudged against them, upon all the points they raise, they know that submission is the duty of honest men and good citizens. The public should understand that this is nothing but a *legal controversy* and must terminate like all other legal controversies. It involves no question of bloodshed or revolution.

To present some further views of the subject we copy the following from the *Steubenville Herald*, edited by our friend Mr. Wilson,—one of the few country papers that we never open without an expectation of finding something to improve us—though, on the present occasion, we are reprov-

ed—
We do not perceive that much remark has been made, for so far, in the eastern prints, on the subject of the collection of the tax from the branches of the U. S. bank within this state. Mr. Niles, in his Register of the 2d inst. says:

"Much as we are opposed to the principle and operation of the bank of the United States—decided as we are in the opinion, that congress transcended its authority by incorporating it—and convinced also, that the decision of the supreme court, in the case of McCulloh vs. the state of Maryland, was wrong, yet believing that the states have a right to tax this institution and its branches—still we regret

this act of Ohio. It is not for any of the states, much less individuals, to oppose force to the operations of the law, as settled by the authorities of the United States, however zealous we may be to bring about a different construction of it, through persons legally vested with power according to the constitution, to act in our name and in our behalf."

The case of McCulloh vs. the state of Maryland, above alluded to, was a case prepared and submitted to the supreme court of the U. States by voluntary consent of the parties. The doctrines set up by the court, on that occasion, are such as the people of this state, so long as they determine to preserve their rights, cannot recognize as correct. If a case decided—an *agreed case*—in which this state is not a party, can be considered as binding upon this state—if such decision is to suspend the force and operation of our laws, legally, regularly and constitutionally enacted, what are our boasted privileges? For what purpose have we a state legislature and executive? Of what value is our constitution and our right of suffrage?

We complain that, in the case of McCulloh vs. Maryland, matters have been conceded by the latter, or rather many of the strongest grounds were relinquished or not brought into view, on which this state meant to reply. The state of Ohio does not admit that a case between any two parties, conclusively or ignorantly agreed upon, is or ought to be binding on *any other party*. No rational man will say that such case ought to be so binding.—We are somewhat surprised that any man of so enlightened and discriminating a mind as Mr. Niles, should fall into so palpable an error—as well as into the mistake that *force* was used in collecting this tax. The tax was peaceably collected—and was collected in pursuance of an act of the general assembly of the state of Ohio, enacted previous to the *agreed case* between the U. S. bank and the state of Maryland.

This state can, constitutionally, tax any kind of property within it, except the public lands—by an act of its legislature, all banking companies were prohibited, unless such companies received a charter from it—the branches of the U. S. bank were located here in opposition to, and in contempt of, this law—the state deemed it more for its interest to lay and collect a tax upon them, than to enforce that law—the amount of the tax is now in the treasury; and it cannot be recovered by the bank, unless by the consent of the legislature.—The authority of the legislature to return it is very doubtful—in point of legality and propriety, every man who has paid a tax into the treasury, has the same right to have his tax refunded, as the U. S. bank has in the present instance. It is, indeed, difficult to imagine under what pretence such claim can be made, much less substantiated—and if such claim is made and substantiated, it will be more difficult still to discover the kind of process by which the money can be reached. The law levying a tax on those branches, has been in existence for nine months past—the U. S. bank cannot plead ignorance of it—it was in their option to avoid paying the tax, by removing the branches—they made their choice—and the tax has been paid into the treasury agreeably to law.—For one, we would agree to return them their money, provided they take their branches from the state—but, unless they determine so to do, and the branches *actually depart*, this state will proceed to collect the tax next year, in like manner, the case of McCulloh vs. the state of Maryland, to the contrary notwithstanding.—We want roads, bridges, and canals; and this will form a handsome fund for their construction.—Our friend

Niles may, therefore, spare himself any further *regrets* on the subject—we assure him that the state of Ohio, is as far from courting a collision with the government of the United States, as he could wish—but the state of Ohio knows how, and where to draw the distinction between the government and a pack of shavers and money changers. These persons claim the right of taxing the people of Ohio—the people of Ohio have never transferred such right to any such persons—they never authorised their representatives in congress to transfer this right—therefore what is wrongfully taken from the people by that bank, shall be rightfully taken from it by our legislature, and applied to public uses.

If we have reason to complain of Mr. Niles, what shall we say of the editors of the National Intelligencer? They express a wish that "this drama, which has commenced as a farce, may not have a *tragic end*"—and they observe that "the authors and abettors of it have *much to answer for*." We agree with them in their wish, and must say, that *we wish so too*—but certainly the U. S. bank does not yet wield the naval and military force of the nation; if it does, and we have no particular reason to doubt it, the insinuation means more than meets the eye. But who are the "authors" of this drama, which is threatened with "a *tragic end*?" The legislature of Ohio.—And who the "abettors?" The executive and the auditor.—The "authors and abettors," that is to say, the legislature and executive of Ohio, "*have much to answer for*"—to whom? Why to the association nicknamed the bank of the U. States, a body whose conduct, as described by a committee of the last congress, will be an eternal disgrace to the American name. The government of Ohio "*have much to answer for*" to such persons as these!!! And this is the language spoken by a paper supposed to be in the confidence of the executive and heads of department of the U. States, to the legislature and executive of the great state of Ohio.—Such language as this might have been tolerated from a Persian king to one of his satraps—but to a free and powerful state, one of the principal pillars of the American union, it is insulting and insufferable.

It may be well enough for the newspapers in those states where there were not to be found independence and firmness sufficient to adopt similar measures, to call the collection of this tax a "ridiculous farce," after the manner of the Pittsburgh Mercury.—The Pennsylvania legislature vaped and talked, and done nothing—the legislature of Kentucky went so far, as to pass an act taxing the branches; but its officers had not the firmness to carry it into effect—the state of Ohio *has laid a tax and collected it*—we leave it to any candid man, therefore, to say where ridicule ought to attach—whether to those states which made *abortive attempts*, or to that state which, without noise or clamor marked out its course, and with intrepidity and calmness followed it to its termination.

Treason, rebellion, revolution!

"Treason has never prospered—what's the reason?"

Why—when it prospers, none do call it TREASON!"

Under this head, and with this motto, nearly eight years ago (see REGISTER, vol. II, page 58) I published an article of my own *manufacture* to shew the inconsistency and injustice of those who measure the merits of things by their success, and weigh the right of them differently as different nations or persons are affected by them—as if truth rested on their prejudices, and *equity* depended on their own

predilections! We said that "Hancock and Adams," names given to immortality for their numerous virtues, would have ranked with "Jack Cade and Wat Tyler," if the *cause* had failed in which they literally embarked "their lives, their fortunes and their sacred honor." History is filled with things of this sort; and we cannot hope that vulgar opinion would have been diverted from its accustomed course in favor of these *noblemen* of nature. "Alexander the great" was a conqueror, and the account of his victories are read with admiration of his courage and constancy;—but "Rhinaldo Rhinardini," for doing the very *same* business that Alexander did, on a lesser scale, is esteemed a villain. The first overrun inoffensive nations and captured great cities; the other only subdued small districts, and carried villages by the force of his arms. "It is a wicked world;" and the worst of it is, we are almost without hope that *honesty*, in weakness, will ever receive the respect which *knaveery*, in power, obtains. All that we can do, is to keep the latter a little in check; and of this *too*, we sometimes despair, on account of the tolerated impudence of guilt. Go into our markets, and see whose baskets they are which are best filled with the choicest things offered for sale—if we except those of tavern-keepers and boarding-house keepers, they will nine times out of ten be found to belong to persons who have robbed the widow and the orphan, or that have just obtained or are now petitioning for the "benefit" of our vile insolvent laws. Nay, it has almost grown into a proverb, to say that "such a person can afford to live well, for he became bankrupt only a few weeks ago!"—Early last season, I myself saw a person paying 150 cents for a peck of green peas, who just afterwards failed, without giving up any thing to the bulk of his creditors—and a few days ago, was not a little amused at a dialogue which I heard in the market between a couple of negroes, one of whom was buying up every nice thing he could find for a great dinner which his master was to give on the morrow, though the name of that master was then in the papers as an insolvent debtor, and, as I am told, will not pay 10 cents to the dollar. But what of all this?—Such persons are ranked as gentlemen!—yet the depredations of any one of them, perhaps, are of a greater amount than the aggregate *thefts* committed by all the men confined in half a dozen of our penitentiaries. O, that it were *fashionable* to regard a scoundrel as a scoundrel, whether he has money, or is in office, or not; and to determine the qualities of men and things by their own merits!

And further, such is the perversity of our dispositions, that what is a deadly sin at one time and in one place, may be pretty nearly consigned into an act of justice, or at least be excused, in another—just as if the right of things were governed by our feelings. Take these familiar examples: it was "glorious" that *Washington* and the rest cast out the government of the *Guelphs*, because of the matter of two pence on a pound of tea; but the English themselves are "seditious and vagrants" for contemplating the act that we did, though the same *Guelphs* have so oppressed them that their lives are a burden. Again, *Napoleon Bonaparte* was the basest of men for shutting up fool Ferdinand, and giving him an opportunity to embroider a petticoat for the virgin Mary, which *she* so much wanted; but England, for so serving, or murdering, more than an hundred princes in India, either of whom must have been a better man than Ferdinand, was loudly called the "shield of afflicted humanity," and regarded as the great champion of what is termed *legitimate* government! And so it was—that at the times when Eng-

lishmen permitted, if they did not direct, the *conflagration of the wounded* at the River Raisin, and massacre of inoffensive men and ravished worthy women at Hampton—there were among us some who excused them, because “England was fighting for the liberties of the world!” and gov. Strong, of Massachusetts, said that she was the “bulwark of our religion!” I trust that I have forgiven the many things of this character which occurred; but while memory holds her seat in my brain, I cannot forget them.

And again—England herself, cut off the head of one king, caused another to fly for his life, and received a third in the person of a foreign invader, &c. What is called by her historians a “glorious revolution,” when that cold-blooded assassin, William III. ascended the throne, would have been handed to us as the act of an ungrateful and unnatural miscreant, if the “seditious” had not maintained him in his pretensions. Thus also, it may be remarked of what is termed the “reformation,” which was brought about by the infamous Henry VIII, because the pope refused to sanction his whoredoms—and the priests went with him, because their *livings* were in his gift.

A wild rumor prevailed a few weeks ago of a revolution in England, and the flight of the prince regent to France, &c. The very idea that such things could happen was considered as a fearful calamity by many persons that I know; and they seemed ready to put a man down for a “blood-thirsty jacobin” who thought it rightful that a revolution should take place in that country. It was horrible to think of—only consider the distress and misery that would ensue, and the lives that would be lost, if the government of king, lords and priests, were overturned! Dear me!—to think of it should make a man shudder!—Tender souls!—I have seen these very men literally drink with joy and wine, or account of the *massacre* of the French at Madrid and other places in Spain, and for the “revolution” in that country, which banished the Cortes, restored the inquisition, and reduced Spain to the contempt and scorn of all nations.* Yes—and these very persons exulted more than they would at the approach of the Mellinism, at the progress of *Suwarrow* and his horde of barbarians, and in the more recent “Russian victories,” in which upwards of half a million of men perished,—but these were chiefly *Frenchmen*, and “sweet sensibility” was monopolized for *Englishmen* and their affairs. Nay, so madly were we in love with England, that tens of thousands of us sincerely rejoiced at the result of the battle of Waterloo, though knowing in consequence of it, that the ravages of war would be brought to our own fire-sides! These things may be unpalatable to some, but every body knows them to be true. All were “patriots”—Russians, Turks, or Algerines, who raised the standard of opposition to France, and entered into alliance with England; and we suppose that, if the war had lasted a little longer, the very *savages*, of whom England purchased the scalps of inoffensive

men, women and children, would have received the same honorably appellation from us—for being the friends of our enemy!

But on the score of the purest humanity, and in the spirit of “Uncle Toby’s” beneficence who would not harm a fly, we believe that a reform, or revolution, in England may be considerably advocated. It is useless here to state the condition of the people—they have been reduced to a set of miserable slaves, and can hardly be worsted by any change that takes place. They stand prepared to declare, that “*death is not the greatest of evils*,” and to encourage one another by saying, *let us go on—hope is in the advance, but despair is in the rear*. The expulsion of about 30,000 persons from England,—the princes and nobles, boroughmongers and placemen, pensioners and dignitaries, as they are called, of “the church,” would give ample room for the comfortable subsistence of the many millions of people who now meanly live in the poor houses, or almost starve in their families at home. It then becomes a question, whether the few shall remain wallowing in lust and pollution, or the many regain their right to live happily, by the profits of their industry, now wrested from them at the point of the sword? Humanity will not be at a loss for an answer; and say, it is better that *justice* should come upon the corrupted few, than that the suffering multitude should longer be oppressed by them. Such is England at home—and what is she *abroad* but the common disturber of the happiness of nations? Her late usage of the people of Parga (see page 105), is a fair specimen of the rules which she adopts for herself respecting foreigners.—Every good principle gives way to her lust for domination and thirst of gain. If by any fell swoop, all the population of the united kingdoms were sacrificed, *retaliatory justice* would not be satisfied for England’s crimes, in India alone; for in that country she annihilated more than *fifty millions* of people who had not offended, in less than 50 years! We know too well what the British government has done in America—it armed brother against brother, and placed the tomahawk in the hands of the ruthless Indian, who murders little children in their sleep, and scalps the infant ript untimely from its mother’s womb; nay, has given itself up to the infamy of ages, by becoming a dealer in the scalps of men and women! Nine tenths of the wars which lately and for about 25 years desolated Europe, had their origin in England; no doubt we believe, is now entertained but that the French revolution would have terminated at two or three different periods, if it had not been for the interference of foreign powers, and especially England, hating freedom and jealous of the rivalry of a free people, in commerce and manufactures. But enough—a volume would not detail the miseries which this government has sent out to all parts of the world—her touch is as the tail of a scorpion, and her *protection* (as in the Ionian islands), is subjugation and tyranny.

Then look at the insatiate ambition of this government; its possessions in all parts contain about 1,500,000 square miles, having a population of 97,000,000 millions of the human race! The keys of the Mediterranean and the Adriatic, and the commanding points in the African and Indian seas, are in her possession. Halifax belongs to her and she wants Cuba of Spain. She designs to hold all the world in check; and make slaves of those through her commerce whom she cannot conquer by her arms. The

*It may be right here to remark, that the editor of the REGISTER deprecated the invasion of Spain by Bonaparte; and would have sincerely wished success to those who were called the “Spanish patriots,” if he could have believed that they were contending for liberty. But he thought they were fighting for a fool-king, for the holy inquisition and England. Reference to fifty places in the early volumes of this work will shew our sentiments on these things, and we have to regret that our prophecies as to the fate of Spain, if the power of France was expelled, have been realized.

*See a series of very important tables, vol. X. page 115—118.

prosperity of another nation is poison to her; and it seems now to be pretty well ascertained, that she has interfered to prevent Spain from rendering an act of common justice to the United States!

What is there in a government like this to excite our sympathy? It is the grand source of mischief every where, and every just man will exult when he hears of its downfall.

Now, if we in the United States were for one moment to look at things as they do in Great Britain, and reconcile our wishes for events as they might appear productive of benefits to ourselves,—our most earnest desire ought to be that a revolution should take place in England; for it would either rid us of the only nation that we have to fear as an enemy, or raise us up at once, as it were, to an ability to maintain our rights, if needful to resort to arms. Such a revolution would, doubtless, throw into our country a large portion of the wealth, enterprise and productive industry of England; the princes, nobility and priests would go elsewhere—our shipping would instantly find full employment in taking up the commerce distracted by the event, and every thing with us would be flourishing. It is true, that on the termination of the revolution, things would chiefly return to their old channels in time; but our commerce and manufactures would be so completely established, that they could not be prostrated and destroyed as they now are. Nor would the English people suffer from our prosperity, if they succeeded in the establishment of a liberal government—though that government might thereby be wholesomely checked in the power of doing wrong to others.

We do not indulge in these speculations and remarks because we suppose that a revolution is just now about to take place in England, though steadily impressed with a belief that such an event must happen one day or another, and before long—much less do we apprehend that our wishes in respect to it will have any effect in bringing it about: but we desire to shew that the cause of humanity and the interests of the world, and especially so of the United States, would be promoted by the destruction of the present British government; and to reprehend the principles contained in the extracts inserted below.

The two following articles from late *Boston papers*—the *Boston* which is proud to be called the “cradle of the revolution,” have exceedingly surprised us. We had thought that the time for such things had passed away with the *Hartford Convention*, and that an era of better feelings prevailed; and are sorry to see that the old British leaven yet remains “to leaven the whole lump.”

From the *Boston Gazette*.—“We have received no later accounts from England, than those detailed in our last. Numerous public meetings were announced; but so formidable were the civil and military authority, in every district of the country, and so alive the friends of order and good government, that the seditious leaders of mobocracy had cowered their wing, and retired to solitude for the present. Their dread of the halter is more powerful than the impulse of what they call patriotism; plunder and elevation to office is what they are after, not exaltation to the gallows; but at this moment, the latter is more conspicuous to their vision than the former; we shall, therefore, probably, not hear of their public performances again, for some time.”

From the *Boston Daily Advertiser*.—It is surprising, that the people of property at Manchester, where there is at all times a personal property of at least ten millions of dollars, liable to destruction, and, if

their real estate bears a reasonable proportion to the United States valuation of that at Boston, a destructible property, in houses, stores and machinery, of at least forty millions of dollars, could be so unreasonable as to insist that the mob should separate before candle-light, the very hour best adapted to their incendiary, furtive, and murderous enterprises. Only 80,000 vagrants, peaceable citizens, with their black flags and bloody flags, simply assembled for the honorable purpose of deciding whether their constitution should be pulled down, and of which they must be admitted to be the very best judges!—There is an obstinacy in the character of the British landholders and yeomanry, which leads them invariably to prefer their own gothic and horrible frame of government, and to be ready to sacrifice their lives in its defence, which is truly unaccountable—except to those who have seen the blessings they enjoy, and who have fairly and dispassionately examined and reflected on the events of the French revolution. Those who perceive that such commotions must end, as they always have ended, in the destruction of civil liberty—even those who think the British government needs some reform, but who know that reform is never the effect of demolition, must agree, that had they been upon the spot, they would, at the hazard of their lives, have dispersed the desperate gang, who, under a pretence of consulting the best means of preserving and reforming the government, were only drawn together for the purpose of overturning the constitution, and submitting that fair and fertile country to the horrors of massacre, fire and universal destruction. Yet the cut-throats will have the sympathies of some, even among us. As if it were not disgraceful, and a reproach to our admirable system of law and legitimate authority, to pretend to connect our freedom with the efforts of brigands and felons.”

Now, we venture to say that no newspaper in England has spoken of the Manchester meeting and murders, in such truly British terms—but we should despise ourselves if we commented upon them. It was thus that we ourselves were spoken of in 1775 and 1776—the leaders of our revolution were stigmatized as *raggamuffins, outlaws and convicts*; and when the illustrious Franklin endeavored to ameliorate the miseries of war by an exchange of prisoners, and for that purpose addressed some fellow called lord Stormont, the latter replied “the king’s ambassador receives no applications from rebels unless to implore his majesty’s mercy;” and his merciful majesty would surely have hanged Hancock and Adams, and Washington and Franklin, if his majesty’s arms had seconded his majesty’s wishes. But they did not—and so it fell out that the “raggamuffins” were turned into gentlemen, and the “rebellion,” converted into a revolution.

The people assembled at Manchester, on a legal business, deserve our highest approbation for their submission to the directions of those in whom they confided, who recommended non-resistance to them. Had a body of cavalry thus attacked one of the meetings of the people at Boston in 1775, they would have been torn into atoms in the twinkling of an eye, and their quivering limbs been scattered to the four winds of the heavens—and I say, justly. Their lives were fairly forfeited by the barbarity of their proceedings, and I should have been sincerely glad to have heard that the penalty was exacted on the spot!

There never was a nation that had stronger reclamations on its government for a restitution of its rights, than the English. Our grievances, set forth in the declaration of independence, were as mol-

hills to mountains compared with the oppressions heaped upon them; and the governors as well as the governed, appear to have nearly reached a point beyond which neither can much further go, without some material changes in their measures; and unless something occurs to divert the nation from its miseries, the issue must soon be tried. Indeed, we believe now, if by the operation of the game laws, &c.* the people had not been deprived of their arms, that two or three men of high-standing in society might easily overturn the government, bolstered as it is by the army and "the church."

We are friendly to the English people—not those who have studied *moralty* on board vessels of war, or learnt *humanity* at the River Raisin and Salamanca—but the plain honest mass of the society. We are not disposed to say of them, that because *Castlereagh* has a villainous look he is worthy of them, and they of him.† We know better, and would act more justly. But considering their government as the common enemy of mankind and as especially hostile to our prosperity, we sincerely wish its destruction; and believe that, cost almost what it may, the benefits thereby to be conferred on the world at large will be very cheaply purchased.

Wholesale dealings—at bank!

CITY BANK OF BALTIMORE.

INTRODUCTORY. According to promise, we now proceed to give an abstract of the long-expected exposition of the affairs of the *City bank of Baltimore*; not on account of *their own* importance, for they *only* involve *speculations* to the amount of about half a million of dollars, and have not reduced perhaps, more than fifty honest persons, the aged and infirm, the widow and the orphan, to positive beggary!—which is a small matter compared with the general depredations of the "system," or even with the *speculations* in the stock of the bank of the United States: but because this exposition affords us a tolerable specimen of the manner in which our soul-less, money-manufacturing incorporations, are managed. And we have no hesitation in believing that many of them would rival the iniquities disclosed as to the City bank, if their transactions were as fairly submitted to the public indignation! We know that in some of them things have happened which would have disgraced *Have* and *Alexander*, whom we lately hung at Baltimore for only robbing the mail—and, if the truth were known, it would appear that at least two out of three of such institutions have all their power and influence concentrated in little knots of cold-calculating individuals, at once bankrupts in probity and property—fellows living like princes who cannot pay fifty cents in the dollar, of what they honestly owe. But some are in an improving state, and others, happily, do not need an extensive correction of abuses.

It is worthy of remark that at Baltimore—(and we presume it is the case almost every where else), that the chief depredators on the public were persons whose living was supposed to depend on their salaries, or such as very lately were considered to be

* An article respecting these laws shall be given in our next.

† Mr. Walsh's new work has the following note—The language of the ministerial journal respecting General Jackson, bordered on the infuriate. Thus we read in the London Courier of March 25, 1819, "General Jackson has the most villainous look ever beheld; he is never seen to smile. *The hero is worthy of the people, and the people of the hero.*"

in moderate circumstances. It is strange, that an enquiry has never suggested itself; how such persons receiving only so much salary, or doing only such and such a business, could afford to spend twice as much as they apparently earned? Their ference is fairly to be drawn that they were engaged in something dishonest. We cannot count up a man's expenses to a nicety, or presume to fix the precise amount which he may justifiably expend; but it seems to be an especial duty in public officers and agents—such as the heads of departments at *Washington city* and elsewhere, and the directors of banks—to ascertain how it is that people under them, entitled to receive only 1 or 2000 dollars a year, contrive to live at the rate of 2 and 4000 per annum, and to *get rich besides?*

The impolicy of screening unprincipled depredators on the public from public opinion, is lamentably manifested by the progress of things at Baltimore. Had one of the banks in this city, a considerable time ago, given up a certain person to the indignation and punishment which he so justly merited, it is highly probable that we should not have had a twentieth part to say of what we have said about the bank of the U. States—not have had to record the horrible proceedings in the City bank—nor deplore the extensive frauds committed on *other* banks in this place, and lament a loss of character to Baltimore of infinitely more value than all these together. Until this man began his *speculations*, it is believed that the directors and officers of our banks were all as honest as—"could be expected;" and we never heard of any of them dipping their hands into the vaults and taking out as much money as they wanted, until he shewed them the way—Since then many things have happened among us, so mean and so dishonorable, that a bandit of the *Apennines* would have scornfully rejected a participation in them! Yet, strange to tell, these plunderers, who have violated some of the strongest obligations which man owes to the society in which he lives, walk our streets at large like men of consequence, are received into the "best company," give and partake of splendid dinners and suppers, and, with the insolence of three tailed bashaws, look down upon those they have wronged! It is time to "correct the procedure"—if there is no law to punish them, contempt, and hate, and scorn, should meet them and their associates at every corner, and banish the viperous race from the haunts of civilized men.

A word or two more, and we shall proceed with our subject. The City bank was established with a solid capital, and *chiefly*, as we understood at the time, got up by the friends of the late cashier to provide a place for him, for it was universally admitted that we had banks enough without it. This bank will now be compelled to retire—the idea of going on, if any one entertains such a thought, is preposterous, except to wind up its affairs, and ought not to be submitted to.

MEETING OF THE STOCKHOLDERS.

On the 20th inst. a very large and highly respectable meeting of the stockholders of the city bank took place—Col. John E. Howard, was called to the chair, and Mr. C. C. Jamison appointed secretary. The business was opened by Mr. Richard Carroll (one of the present directors), who, after an appropriate exordium, introduced the following

REPORT AND STATEMENT.

"In conformity with what the present board of directors of the City bank, conceive to be their duty, and the known wishes of the stockholders, they now appear before you to exhibit the state of that

institution; and if at first view, it shall appear to you to be imperfect, when you see and hear all which it will even now, be in their power to lay before you, it will be a matter of much greater surprise, that so much has been done, than that any thing has been left undone.—When the present cashier, Mr. Pinkney, commenced in his official capacity, the affairs of the bank were in a perfect state of chaos; most of the accounts, particularly some of the largest, not posted up, and almost every one of them incorrectly and improperly kept, *on purpose, no doubt, the better to conceal the frauds which had been committed, as to enable them to perpetrate future, and if possible, more extensive ones.* In some instances, individual accounts were not settled for more than three years and upwards, where transactions to the amount of hundreds of thousands of dollars had transpired; and in other instances, if you can credit so *improbable a tale*, no bank book at all was kept, all left to chance and accident; the checks of *some favorite few*, whose names will be developed in the course of this investigation, and who will appear to be large overdrawers, and large debtors, *were a carte blanche for any sum, money or no money.* To secure all which, as far as practicable, the unremitting exertions of the present board have been directed; such property and security as could be found, have been taken as the only alternative; what its relative value may be, to the amount of the respective claims, you will be best able to judge. In other instances suits have been instituted; whenever any thing like property could be got it was preferred to bringing suit, which, after judgment has been obtained, is too generally eluded under the *present system of insolvent laws.*

From the statement now to be laid before you, you will be able to judge how your affairs have been heretofore managed; how your property has been *plundered and embezzled*; the manner in which the *last sad pittance of the aged and infirm, the widow and the orphan*, has been snatched from them by those sworn *cashiers and clerks*, who were necessarily appointed to superintend your affairs. There are a host of other plunderers, who are well known, and who, together with those already *alluded to, are now, even now*, living in their palaces, rioting in luxuries, amidst the misery, distress and desolation they have produced. Last, though not least in infamy, is—*and*—“*those bare-faced effrontery and consummate impudence are only equalled by the villainy and turpitude of their conduct; they not only refuse all security or satisfaction, but exult in their infamy, and throw the gauntlet of defiance at those whom they have robbed to the last cent; they have been the instruments in the hands of others by which all this fraud has been committed on the City bank. In justification of those members of the old board, who are at present directors, it may be stated, that they had for years been deceived by false statements laid before them by the *cashier and some of the clerks*, of the affairs of the bank; as will appear by comparing the accounts as made out, with their actual state. It is a matter of satisfaction, that on investigation but a small comparative loss will accrue on such paper as was regularly discounted by the board of directors; the great loss sustained by the bank, arises from the large overdrawings per-

*There were no blanks in the reading of the report—but it seems that it has been thought proper to obliterate the names on publishing the statement; they were those of the late first teller and one of the book-keepers—of no importance whatever to the public, in general.

Ed. Rec.

mitted by the former cashier, and by many notes discounted privately without the knowledge or concurrence of the board of directors. The cashier will proceed to lay before you a general statement of the institution, and all information required will be given as far as is in his power, or that of the board; after which you will determine, under the charter, what measures if any, will be proper to be adopted. It is respectfully recommended in order to insure satisfaction and regularity, that all questions be put through the medium of the chairman.”

STATEMENT of the affairs of the bank, 18th Oct. 1819. [Abstract]—

Bills discounted, supposed to be well secured	571,065 21	
doubtful	28,180 89	
insolvent	43,792 50	643,038 60

Real estate—banking house and a country seat conveyed	37,000
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Cumberland road stock 39,569 51—exchange stock—(i.e. stock in the building called the Balt. exchange) 14,000	49,569 41
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Cash, in specie, 5061 62—notes of Baltimore banks 4,475—and of bankrupt banks 1,915 87	9,452 49
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Due from banks [supposed]	4,079 84
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OVERDRAWINGS—[We shall not derogate the dignity of the subject, when we state that here follows a “tag-rag-and-bob-tail” list of persons who yet stand charged as being overdrawn; but we do not see that the publication of their names would be of as much use as the room that they would occupy, and they may be found in the newspapers of the day. Fifty nine persons are reported in the whole—all except 11, for less sums than 1000 dollars, and most of them for sums hardly exceeding 50 or 100. Some who are charged dispute the account, and claim credits which were not passed to their account on the books of the bank, and it is probable enough that such things have happened; others are insolvent, &c. But among the undisputed sums due, the late cashier is charged with 166,548 85; his particular friend, 185,382; a clerk with about 30,000; another clerk with 15,082 70; another clerk with 6,324 99—(being all the persons employed in the bank except one clerk and the porter) making an aggregate of

*426,085 72

1,181,324 12

[A] But the preceding only partially shews what was the state of the bank at the time when it blew up. In the 571,065 dollars of bills discounted and presumed amply secured, is included not less than 250,000, perhaps 300,000 dollars more, which had been overdrawn by, or improperly discounted for persons, chiefly ex-directors, whose names do not now appear because they have made some arrangements for the ultimate payment of their debts due to the bank—one of them for as large a sum as 97,000 dollars, on which several years are allowed.

*It is estimated by the committee to whom was referred the affairs of the bank, as stated below, that the amount expected to be received on account of the 416,983 dollars overdrawn, was only 98,028 30!!!!

So then, if what may be considered as the fair amounts of what the rest of the directors obtained by discounts, be added to the preceding, it will appear that the board of directors, the cashier and clerks and one other person, may have had out about 100,000 or 150,000, dollars more than the whole capital of the bank paid in!

Thus—

Overdrawings as above, rejecting all the little folks	\$400,000
Ditto and discounts of ex-directors, somehow adjusted	250,000
Discounts to other directors 11 in number (after deducting the preceding,) there being 16 in all, averaged at 25,000* each	275,000
	925,000

This seems to be a reasonable calculation—the only thing we wonder at is, that the bank held out so long as it did.†]

Contra—

Capital stock paid in	833,030
Notes yet in circulation	70,020
Certificates for notes deposited, (bearing interest) since the bank suspended payment	117,824 03
Of the small notes issued \$654 19 has been retired already over and above the amount registered; and it is estimated that there yet remains in circulation, from 7 to	10,000
Due to sundry banks	119,429 67
[Of this sum, 87,634 36 is due to the office of the bank of the United States at Baltimore, and about 24,000 to the other banks in this city.]	
Unclaimed dividends 5,276 80; sundry depositors 17,409 53; sundry small accounts 350	23,036 33

\$1,172,340 03

After hearing the preceding report and statement read, and receiving a variety of explanation as to the manner in which the board had operated to secure the payment of certain heavy debts due to the bank, a committee was raised to take the affairs of the bank into their consideration, and report generally thereon to an adjourned meeting, to be held on the 22d inst. and the report and statement were ordered to be printed.

Baltimore, Oct. 22. An adjourned meeting of the stockholders of the City Bank of Baltimore, was held this day, when the chairman of the committee, (to whom was referred the report and statement of the directors of said bank at their last meeting) handed in the following report:

*In most of our banks the directors have an ex-officio claim for 27,000, on offering good paper.—Some of them do not get any discounts, but others greatly exceed the allowance.

†There is no doubt but that many of our banks have failed in consequence of the enormous sums which the directors took for themselves, or favored a chosen few with. But this is the great principle of modern banking—a cheat, a bubble, a machine for the exclusive benefit of a few scheming men. I have before me some account of the affairs of a bank in another state, which has gone to Old Nick—its capital was only 75,000; but it is positively stated that the directors had discounted for themselves upwards of 100,000 dollars. *This is working the thing handsomely!* But we shall say more on this subject on a future occasion.

The committee to whom was referred the "report and statement" of the president and directors of the City Bank of Baltimore, laid before the stockholders of said bank, at a meeting on Wednesday last, and which committee were also authorized and instructed to recommend to the stockholders at an adjourned meeting on this day, "such measures as they might think proper, legal and necessary in the present situation of the bank," beg leave to submit the following report:

That they have examined with all the care and attention which a limited opportunity has allowed, the statement referred to them, and have the satisfaction to assure the stockholders, that they consider the statement correct, and even accurate in all material respects. Indeed, too much praise cannot be bestowed on the present board, cashier and officers of the bank, for the almost incredible success which has rewarded their exertions in reducing to order the old books and accounts of the bank. Those books and accounts appear in fact to have been in as much confusion as a long continued, deliberate and systematic course of fraud could place them; and the committee feel warranted in saying, that the cashier and some of the subordinate officers formerly in the employment of the bank, "*never did any thing right, unless by accident.*" Inasmuch however, as the individuals alluded to are now under prosecution for their several offences, the committee will forbear pressing this subject any further than is absolutely necessary, and therefore hasten to resume the consideration of the statement now in their hands. It is deemed proper nevertheless in this place to except from the foregoing censure, Mr. John Sterett Gittings, and Mr. Daniel Tatham, the only old subordinate officers of the bank still retained in its service.

[The committee then offer a detailed calculation to shew the probable value of every species of property held by the bank, and after deducting what they suppose will be the ultimate losses, they regard the present available funds of the institution as amounting to 760,310 03 From which being deducted the debts due by the bank 340,310 03

Remains for capital \$420,000

Shewing a loss of only about one half of the capital—or, in other words, that the shares may be worth \$7½ each.

They then congratulate the stockholders that the loss is not so great as was apprehended, and that it will not be necessary to call in another instalment; they recommend it as proper to leave the management of the bank in the hands of the present directors until another general meeting in May next, when another exhibition of its affairs shall be made, and definitive measures adopted, either to wind it up or to resume business. They state further, that the annual expenses of the bank, which amounted to \$11,200, are now reduced to \$4,350; the cashier receiving only 1,500, and the president serving without any compensation, &c.

Resolutions to carry into effect the recommendations of the committee were adopted, and a new committee appointed to investigate and enquire further into the affairs of the bank, preparatory to the next meeting.

The following are the gentlemen composing the present board of directors, who it becomes us to say, appear to have acted with honor and fidelity.

Samuel Hollingsworth, president—Richard Carroll, Hugh W. Evans, Lerwin Wethered, Charles Green,

James Barrell, John Millen, John B. Morris, Henry Thompson, John T. Worthington, George Smith, J. B. Von Kuff, — Lansdale, Stewart Brown, John Merriam, Robert Barry.

The following are the names of those who were left out at the late election, held after the explosion of the bank—

Richard Frisby, Govert Haskins, Samuel G. Griffith, Henry Didier, and Samuel Chase.

CONCLUDING REMARKS. Though the preceding statement seems to be *bad enough*, it presents only a faint image of what has happened in the City bank, and is a mere type of modern banking! If ever the late officers and clerks of this bank, and about a dozen others belonging to other banks in Baltimore, are put upon their trials for the offences for which they have been presented by the grand inquest of this city, we shall have a tale unfolded that will harrow up the soul of every honest man in the United States, and finish, we hope, the accursed system of fraudulent speculation, which has blasted our country within the last six or seven years—A system which, like the plague of the frogs inflicted on Egypt, has literally found its way into the “kneeding troughs” of the people, and rapaciously snatched “from the mouth of labor the bread it has earned.”

It is with regret that we differ from the respectable committee as to the present value of the stock of the City bank—we are of opinion, that when the casualties which belong to protracted payments are calculated, and the present state of the times are considered, though they have allowed *largely* for losses, the stock cannot be estimated as being worth one half of what has been paid upon it. We are told, that since the report and statement, it has been offered for less than *five* dollars per share; but we should think that to those who can afford to lay out of the use of their money, it will be worth something more than that sum.

Banks and Banking.

Insolvents.—The *Albany Argus*, of the 19th inst. contains one hundred and seventy-one notices of insolvents!—But the notices of all the insolvents in the state are required to be published in that paper.

Kentucky.—Two others of the independent banks have stopped payment since our last notice of them, and another is redeeming its own paper with that of the bank of Kentucky, payable *one year* after date, but without any effect in restoring its credit. By this management, however, it is presumed the charter will not be forfeited—as, certainly, it pays in notes of the bank of Kentucky—and they may be as legally issued payable at one hundred years hence as at any other time! Only three of the whole litter of independent banks are said now to pay their debts at all!

Ohio. We have given up much room to some remarks upon the acts of this state respecting the collection of the tax on the branches of the bank of the U. S. The elections have just taken place, and it is probable that the members of the senate and house of representatives have been chosen according to their opinions of those acts. We observe that one candidate for the senate (probably elected from the district in which *Chillicothe* is situated) Samuel Swearingen, esq. and Richard Douglas, esq. a candidate for the house of representatives, came before the people with a parody on the declaration of independence, against the bank of the United States; in which the bank is charged with “having

quartered large bodies of armed brokers among them,” &c. and in the conclusion proclaiming, “that all connection between the people of Ohio and the branch banks ought to be dissolved: and that as a free and independent state we have full power to levy a tax upon all banks within our jurisdiction of whatsoever denomination, and by whomsoever established,” &c. “And for the firm support of this declaration they pledge themselves (if elected) to use every legal exertion to effect an amendment of the federal constitution respecting banks; and to hasten the departure of those branches from the state of Ohio.”—Signed with their names.*

For the *Cincinnati* district, Gen Harrison was a candidate for the state senate. Certain resolutions were passed at a meeting of the people, disapprobatory of him because he was a director in the branch located there; and in consequence, he has published a long address in the newspapers. He declares himself the enemy of banks in general, and especially of the bank of the United States. That he has very little personal interest in any of them, and was uniformly opposed to the establishment and continuance of the said bank of the U. S. --that he views it as an institution “which may be converted into an immense political engine to strengthen the arm of the general government, and which may at some future day be used to oppress and break down the state governments,” &c. The address is very interesting, and we wish that we could present it entire to our readers—the general, however, thinks that a *national currency* must be established [*the bank of the U. S. was to have given us that,*] and speaking of the act of Ohio, he asks, “is it not a shoot that has sprung from its far-famed Boston opposition, and been matured in the foul mine of the Hartford convention?”—and adds, “that if he has any voice in the matter he will leave its decision to the courts of justice,” which all will agree to be rightful. We have not yet received any returns to shew whether the general has succeeded in his election or not.

Huntingdon bank, Pa.—This bank is among those that lately blew up. A statement of its affairs have been published, by which it appears that all its engagements may be ultimately met without touching the capital.

Tennessee. Mr. Grundy has introduced some resolutions in the legislature of this state which it was believed would pass, requiring the banks to exhibit a particular statement of their accounts, and for *forbidding them to receive for collection or to protest any note not discounted by them.* After the accounts of the affairs of the several banks are made known, it is intended to direct that the notes of such as are thought good shall be received by the sheriffs, collectors, &c.

Foreign Articles.

GREAT BRITAIN AND IRELAND.

The British ports will remain shut against the importation of foreign bread stuffs, except from their colonies in America.

*So far as the returns were received, Mr. Swearingen had 1350, and his opponent 640 votes. Gen. Kerr, a determined enemy of the bank, and who very frankly tells the people what he thinks of that institution and its supporters, received 1591 votes for representative; the highest of any of the rest of the candidates was only 669—the greatest number received by those decidedly friendly to the bank was 369.

It is stated in the *London Times*, on the doubtful authority of a letter from Brussels, that the armament now preparing in the ports of England has caused some movement among the American ships in the ports of the Netherlands. In consequence of intelligence they have received from London, (says the letter) they are either sailing, or preparing in all haste for their departure.

The Drury lane theatre has been leased to Mr. Ellison for 13,200*l.* per annum.

Stocks -Sept. 15 3 per cent. consols 70 1-2.

Sir Thomas Hardy's squadron has sailed from Plymouth. We are not certain as to its force—there is mystery about it, and it has left England with sealed orders. The ships are in full fighting trim, and the expedition excites curiosity in England. A minister from the Brazils is said to be on board the squadron.

On the 22d of August, it is stated in a *London paper*, that a man, named Hercomb, mowed a field of heavy oats, containing five acres and a quarter, in one day—from 4 o'clock, A. M. to 8, P. M.

The Manchester murders. Besides those who were killed upon the spot, or died immediately of the injuries they received, it is supposed that about five hundred persons were wounded, most of them severely, by the yeomanry cavalry at Manchester—of these about one third were probably women; some sabred, some shot, some knocked down by the peace officers, and many trampled on by the horses!

Hunt made his triumphal entry into London on the 13th. It is stated that 200,000 people were present—the roads for 5 miles from town were completely blocked up by those who went to meet him. He arrived in a landau, preceded by a flag inscribed "Hunt, the heroic champion of liberty." He alighted at the Crown and Anchor, where he partook of a public dinner, attended by 3 or 4 hundred persons. The description of this scene occupies several columns of the papers. London has seldom witnessed such a bustle on any occasion—and the day ended without any riot.

A grand dinner was given to Mr Hunt at the Crown and Anchor inn, after his arrival in London—400 persons sat down to the table. Among the toasts drank were the following.

"Mr. Hunt gave as a toast—"The only source of all legitimate power—the people!" Tune: "*See the conquering hero comes.*"

"The next toast was "universal suffrage, annual parliaments, and vote by ballot—the undoubted right of every Briton." It was received with three times three, and was followed by the tune of "Ca ira."

"Toast—"The immortal memory of the reformers, men, women, and children, who were massacred at Manchester on the 16th of August." Tune: "*The land of the Leal.*"

"Toast—"May the arms be taken from those who abuse them, and given to those who have courage to use them." Tune: "*The Marseillois Hymn.*"

London, Sept. 9.—The grand jury have this day thrown out a bill of indictment preferred against John Adamson, for "having in his possession, with intent to publish, certain seditious and libellous papers and writings, tending to vilify the constitution in church and state."

A morning paper says "a great diversity of opinion is said to exist in the cabinet respecting the recent lamentable occurrences at Manchester. Lords Liverpool and Sidmouth are reported to be vehement in their denunciations of them; while lord Castle-

reagh and other members, highly approve the *co. promptitude* displayed."

FRANCE.

Many Jews are emigrating to France from Germany. Altona is so full of them that some have called it the "second Jerusalem."

SPAIN.

The Alexander of 74 guns, one of the three vessels that lately sailed from Cadiz on the information of lord Cochrane's blockade of Peru, has returned to that port in a very bad condition; having been found too old and crazy for the voyage, though the best ship that the emperor of Russia sold to Spain. The other 74 and the frigate pursued their voyage, and if Cochrane happily meets them, he will probably carry them into Valparaiso to quiet the clamors of the Chilians on account of his want of success at Lima, &c.

A young lawyer of Madrid has been sent to the dungeons of the *holy inquisition* for addressing a very respectful memorial to the king, beseeching him to convoke a "national representation," to take into consideration the state of the country, and revive its agriculture, commerce and manufactures.

The king was married by proxy, on the 28th of August, at Dresden, to the princess Josephine.

GERMANY.

80,000 recruits have been distributed among the different corps, in Austria, and another levy was talked of. The landwehr are also in readiness.—The causes of these things are not guessed at.

DENMARK.

It is stated, that for the last eight years, not a single case of small pox has occurred in the dominions of the king of Denmark, owing to the whole of the inhabitants having been vaccinated, by order of the king.

The *Gazette de France* gives the following as an extract of a letter from Altona of the 31st of August—"The recruits in our Dutchies and in Denmark, have suddenly received orders to join their respective regiments, which excites conjectures so much the more important, as it is reported that revolutionary and bloody scenes have taken place in Sweden."

ITALY.

It is said that Genoa is to receive a garrison of 4000 English troops.

WEST INDIES.

About the 20th of Sept. last, there was a dreadful hurricane in the West Indies. Much damage to the shipping, buildings and crops, &c. was done at Martinico, St. Christophers, St. Bartholomews, Antigua, Anguilla, &c. The force of the gale seems to have been felt at St. Bartholomews, where "hundreds of buildings were blown to atoms," and ships of 3 or 400 tons driven where it was dry land when the storm abated. Every vessel lying there was lost, or went on shore. Every estate at St. Martins except two, are said to be in ruins, and returns were received of 146 persons lost, besides, many were missing.

A letter from St. Bartholomew's thus describes the hurricane there. "On the 20th Sept. at 8 P. M. the weather appeared threatening, and about 12 o'clock the wind shifted to the north and continued to increase from that quarter till ten the next morning, when it hauled more to the west, its violence still increasing. At this time, 1 o'clock, P. M. the 21st, we are shut up with candles burning. The last opportunity of observing the harbor, there were but two vessels afloat. The barometer continues to fall, 3 P. M. All nature appears at war with man: we cannot see the distance of 20 yards. We can-

scarce hear each other speak in the house. The gale has certainly reached its utmost height. The rain or sord resembles a vivid blaze of lightning. If the whole world were on fire the scene could not be more awfully sublime than at present. The torrents from the hills are like rivers. God only knows where it will end, should the flow continue every house must be washed away. The wretched inhabitants are seeking safety in flight.

9 P. M. Little did I think, when I penned the foregoing, that we should so soon share the fate of these poor wretches. The violence of the storm forced us to remove. The first place of security we fixed upon was the jail. I was nominated to obtain possession and have the doors open to receive the family. In attempting to reach it, I was thrown down twice, and carried as far as the chapel. However, a momentary lull fortunately enabled me to gain the place, with no other damage than the loss of hat and coat.

In this place the tremendous fury of the wind had worked a perfect destruction of every door and window in this noble edifice.

On returning to the family I found them in the utmost consternation, every moment expecting the dining room which overhangs the house to fall in ruins. To gain the cellar was our only resort, and after much difficulty fifteen souls were collected there.

Sept. 22d, the scene that presented itself this morning was truly awful. All the shipping formed one mass of ruins at the head of the bay. To distinguish even the remnants would be impossible. I can only say, *all are destroyed.*

Full one half of the town is demolished. Places, where yesterday buildings were standing, are now a barren waste.—There is scarcely a dwelling that escaped destruction or damage.

Thus far I can write with some comparative composure; but to witness what follows is agonizing in the extreme. The hand of death has shortened the trials of many a poor sufferer. Every hour we hear new tales of horror.—Mr. P's fine house in the country was torn to pieces, and the fragments found some hundred yards from the spot, where it formerly stood. His lovely daughter was killed. Several bodies have been found so lacerated as not to be known. Houses and families have been swept away together.

At the commencement of the gale there were thirty sail of vessels afloat, chiefly Americans. The largest vessel in the harbor a Portuguese ship, is not to be seen.

The governor has issued a proclamation offering relief to the distressed and destitute."

At St. Thomas' ninety-five sail of vessels went on shore, and 127 men were missing—*only five vessels rode out the gale.* At St. Johns, Porto Rico, 120 lives were lost, and much other damage sustained.

SOUTH AMERICA.

The congress of Venezuela has appropriated "five hundred square leagues of the public lands of the republic, to the support of its liberty and independence"—on which pledge it is proposed to raise a loan of three millions of dollars. The *minimum* price fixed for the land is said to be at about the rate of 26 cents per acre—which minimum is to cease at the end of two years.

If the patriots succeed in establishing their independence, and we have no doubt but that they will accomplish all that is hoped of them, immense fortunes will be realized by investing small sums of money in those lands, for the soil is fertile and productive of the richest commodities.

The total destruction of the town of *Copiapo*, in Chili, by an earthquake, is mentioned in letters from Buenos Ayres.

Important and pleasing intelligence. By the British government brig *Beaver*, arrived at Kingston, Jam. from Carthagea, on the 14th of Sept. last, official information was received that on the 1st of July a battle took place between Bolivar and the troops of Spain, at a place called Yanze, in the valley of Sogamose, in the province of Junia. Bolivar had 2000 infantry and 500 cavalry in opposition to the forces of the Spanish general Barasino, of 3000 royalists. The battle lasted till 10 o'clock at night, when the king's troops were obliged to retreat in great disorder.

A second battle was fought on the 25th of the same month (July) between the same parties, at Pantano de Bargas, near the capital of the province of Junfa, which lasted five hours, with desperation on both sides. Bolivar obtained a complete victory over the royalists, who abandoned all their artillery, baggage and treasures. Bolivar has proclaimed martial law, and the inhabitants are flocking to his standard.

A third battle was fought on the 7th of August, the result of which was, that the army of Barasino was completely destroyed, with the exception of 400 men, who saved themselves by escape, and arrived at Mourpax on the river Magdalena. There were 600 killed and 400 taken prisoners. On the 9th of August, the vice roy (Samano) evacuated Santa Fe, and on the 11th Bolivar took possession of the same.

Bolivar has despatched a division of his army against Carthagea.

Much confusion is said to have prevailed at Maracaybo, on account of the approach of the patriot army from Santa Fe.

A Spanish fleet consisting of a frigate, 2 sloops of war, and several smaller vessels, is reported to be blockading Margarita.

The infamous Morillo was "missing," according to letters from Carthagea. The viceroy of New Grenada escaped from Santa Fe with 3 or 400 troops.

It was believed that Caraccas would soon be in the possession of the patriots under Bolivar. The people were flocking to his standard.

Law Intelligence.

FROM THE NEW YORK EVENING POST.

On Wednesday the 20th ult. came on for argument, before his honor William P. Van Ness, judge of the district court for the southern district of New-York, an application in the case of the *Portuguese consul vs. Goodwin*, to discharge the defendant upon common bail.

This was a *suat in personam*, brought in the admiralty side of the court, by Mr. *Vasquez* the Portuguese consul, here against the defendant, Mr. *Goodwin* of Baltimore, alleging him to be the owner of a privateer called the *Athenian* alias *La Republicana*, which had been fitted out in the ports of the United States, in violation of our neutrality, and had captured and spoliated a Portuguese vessel and cargo, called the *Louisa*, on the high seas; for the benefit of the owners of which the consul has commenced this suit.

The defendant moved to be discharged from custody, without giving bail. His counsel supported this motion upon three grounds:

1st. That a foreign consul has no right to insti-

due for other persons in his own name, a suit in any court, in any case whatever.

2d. That, even if the Portuguese consul could maintain the present suit any where, this court could not entertain it, for want of jurisdiction.

3d. Upon the merits.—That it appeared by the affidavits, that Mr. Goodwin was no longer an owner of the Athenian, he having sold her to another person, before the cruise, on which the alleged injury was committed, had been undertaken.

The defendant's counsel, Messrs. *Emmett, Ogden and Brickerhoff*, upon the first point called upon the opposite counsel to show a single case where a consul had been permitted to commence such a suit, in his own name, or without a special power from the individuals concerned; and on the question of jurisdiction, they cited the case of *The Divina Pastora*, (4 Wheaton 67,) and the note (ib) collecting the different cases which have been determined in the courts of this country on the respective rights of the belligerent and neutral tribunals to adjudicate on maritime captures; and they also referred to the case of com. *Taylor*, decided in the district court here, in which it was held that the tribunals of a neutral country have no jurisdiction in a case similar to the present.

On the other side it was insisted by Messrs. *Wells and Stoughton*, the libellant's counsel, that a consul had always from the very nature of his functions, authority to appear in a court of admiralty, either to prosecute or claim where the interest of his fellow subjects were concerned; and that this case was clearly distinguishable from that of com. *Taylor*, inasmuch as the latter had become a domiciled citizen of Buenos Ayres at the very moment which gave birth to that republic, and that as to the merits it was sufficient that there was contradictory testimony, and the defendant ought consequently to be held to bail.

The learned judge determined, that as the right of the consul to prosecute had not yet been fully discussed; as the case was very different from com. *Taylor's* both as to the facts and the law to be applied to them: and as the question of jurisdiction could not be determined until all the circumstances of the case were more completely developed; he should direct Mr. Vasquez to make an affidavit, (in addition to those on which the warrant was first issued,) of the amount of damages he expected to recover, and that the defendant should be held to bail, for the event of the suit, according to the course of the admiralty in that amount.

LAW CASE. *Lancaster, England, Sept. 6*—Robert Howarth was tried for having three forged bank of England notes unlawfully in his possession; upon the trial four other notes were produced in evidence, which had been found upon him at the same time. The jury thought proper to acquit the prisoner. Late, however, on Saturday night, he received information, after he had been shut up in his cell, that the bank intended to prefer another bill upon some of the other seven notes found upon him on the same occasion. This day, about half past 11 o'clock, the prisoner was again put to the bar, a true bill having been found against him for the offence. When the jury had been sworn, the judge Mr. baron Wood, took occasion to reprobate, in very strong terms, the conduct of the bank, in thus putting the prisoner upon his trial a second time for the same offence: and, at the same time, expressed his doubt of the legality of a judgment, in the event of a conviction. The learned judge said, emphatically, "this is an instance of extraordinary

severity, and the bank will do themselves no good by it." Mr. Ranie, however, counsel for that body, said, "he was not to be intimidated;" and, after a long eulogy on the virtues, the generosity, humanity, liberality of the bank, witnesses were examined for the prosecution, which were of the usual description, Mr. Nadin, and his tribe of co-adjutors. The prisoner, by his counsel, demurred to the course pursued, and refused to have any thing to do with a defence. The judge then charged the jury, that this indictment was the most extraordinary course of proceeding that he had ever heard of, and savored of a degree of severity and vindictiveness that ought to receive no encouragement from either judge or jury; that in the last trial a prosecution was laid against the prisoner for having in his possession three notes, and the other four were given in evidence, as being found upon him at the same time; an acquittal having been then had, the bank now returns to the charge, with an indictment for the other four notes; that he, (the judge) thought the whole seven as forming but one act, of which the prisoner had been acquitted—and that, if this practice were tolerated, in the event of a person being accused of stealing three coats, four waistcoats, and six pair of small-clothes, a prosecution might be had for one waistcoat; and that, if the prosecutor did not like the verdict of the jury, he could then proceed upon another waistcoat, and so ring the changes upon the different articles, until either the prisoner should be convicted, or the assizes detained a month hearing the same charge; besides which, he (the judge) did not see any evidence to convict the prisoner; he was found with seven notes; he ran away from the constable; well, said his lordship, what does that prove, only that he did not like a *Manchester runner*; and then he would not tell where he got them—he was not obliged to do so; and the judge then remarked, that if the jury convicted the prisoner, it would be the first time an individual had ever been found guilty upon the mere proof of having forged notes in his possession, without some evidence of a guilty knowledge; either from facts or from confession, as any person, however innocent, might have one or seven notes in his possession, without committing any crime.

The jury found a verdict of *not guilty*—and the judge, rather seriously, enquired of the bank solicitor and counsel, "whether there were any more bills for the same offence?"

CHRONICLE.

Maine. It is agreed by the convention, that the proposed new state shall be called the *state of Maine*. The committees appointed for the purpose have reported a bill of rights and a draft of a constitution. As we shall publish these when adopted, we are unwilling to occupy much room with them now. The provisions respecting civil and religious liberty comport with the spirit of these enlightened times, except in one solitary case that some may object to, which declares that the person to be chosen governor shall be a natural born citizen of the United States. The right of universal suffrage is freely admitted; but the allotment of representatives is made without absolute regard to population, though less exceptionable than the provisions in this case in Massachusetts and some other states—for instance, a town with 1500 inhabitants is to have one representative, and one for each additional 3500 of its population. The number of representatives cannot exceed 200.

The *Ohio* river is lower than it was ever known to be. The perpendicular distance from the water

on the 8th inst. to its utmost height about two years ago, near Cincinnati, has been found to be *fifty seven feet and four inches!*

The *military expeditions* to the upper Missouri and Mississippi are proceeding to their destinations. The force of the former is nearly 1000 strong—the scientific corps attached to it are industrious and attentive, but much missed the amiable and learned Dr. Baldwin, (recently deceased) who was attached to it as botanist, &c. The troops engaged in both expeditions are healthy.

Alabama. William W. Bibb is elected governor of the new state, and John Crowell, the representative in congress from the same.

HEALTH. New Orleans is still dreadfully scourged with the yellow fever; and a malignant disease, though not considered as the *real* yellow fever, prevails at *Natchez*. Some cases still appear at *Charleston*; but we do not hear that any of the rest of our cities are now considered as being unhealthy, except *Mobile*.

Longevity. Died, recently—at Settle's Hill, New-York, Mr. George Reelman, aged 112 years. He was born in Germany, and was a soldier at the famous battle of Prague, where he and another only escaped the dreadful slaughter of men that took place there. He also served as a soldier in America during what is called the "French war."

Also—at Baltimore, Mrs. Magdelane, aged 110; and Mrs. Mathews of 90. Captain Philip Graybell, aged 87; an officer in the revolutionary army, and universally respected for his probity and urbanity.

The Albany Gazette mentions, that, in the town of Canajoharie, county of Montgomery, there are two men and their wives, whose ages, when added together, amount to 352 years. The youngest of the four is 86 years old. Each couple has been married, and both lived in the same neighborhood upwards of 60 years.

A crim. con. case was lately tried in Essex county, N. J. The plaintiff was a farmer, the defendant a physician—damages \$2000, found by the jury.

Whale fisheries. Our whale fisheries are, perhaps, more flourishing now than at any former period. I have formed an estimate of the probable amount thus employed from Nantucket, Martha's Vineyard, and this port, which would be at risk in case of a war with Spain, which may awaken the attention of those whom it may concern. From New Bedford, there are round Cape Horn or on their passage, 18 ships and 1 brig, whose tonnage is 5347 tons; and they with their outfits cost

Their return cargoes would probably amount in value to	\$565,000
From the Vineyard there are two ships which cost	800,000
Their return cargoes would probably amount to	50,000
From Nantucket 50 ships which probably cost	93,000
Their return cargoes would probably amount to	1,350,000
From New Bedford on this side Cape Horn, there are 11 ships and 8 brigs, which probably cost	2,342,000
Their return cargoes probably will amount to	277,000
From Nantucket 10 ships, which probably cost	363,000
And their return cargoes will probably amount to	140,000
Amounting in all to	227,000
	\$6,000,000

Agricultural societies. At the cattle show and fair held at Ballston Spa, for the county of Saratoga, Earl Stimpson, esq. had awarded to him the following premiums, viz.

For the best cultivated farm, 150 acres, - -	\$10
Indian corn 104½ bu. per ac. - - -	15
Barley, 60 3-4 bu. per ac. - - -	5
Spring wheat, 26 bu. 6 qts. per ac. - - -	8
Potatoes, 714 bu. per ac. - - -	6
Beans, 40 bu. per ac. - - -	5
Grass, 3 tons 3 cwt. per ac. - - -	4
Garden, 1 ac. 50 rods, - - -	5
Gelding, - - -	6
Yard of poultry, 250 fowls, - - -	3

The hills of corn were planted at the distance of 2 feet 8 inches apart—there were 285 pumpkins to the acre, which grew on the same land with the corn. A cabbage from Mr. Stimpson's garden, which was exhibited at the fair, weighed 33½ pounds.

Saratoga county, in the article of potatoes, has far exceeded Oneida, Otsego and Herkimer, as appears by the premiums awarded in each of the counties at the late fairs, which was as follows—Oneida, largest yield, 571 bu. to the acre—Otsego, 600—Herkimer 622—Saratoga 714.

Albany Daily Adv.

Pirates. We still hear of many depredations on American vessels by persons disgracing the patriot flags of the South American republics. Money is generally a lawful prize to them, be it found where it may.

Execution. George Brown, convicted of piracy and murder at New York, on board the schooner Retrieve, on the high seas, has been executed in the harbor of that city, by being hanged at the yard arm of the vessel which was the theatre of his crimes. This unfortunate man was only 22 years of age—he was mate of the vessel, and induced the crew to assist him in knocking down the captain, and while yet alive, throwing him overboard, &c.—They then proceeded with the vessel to a Spanish port, and by his quarrel with one of the crew, Brown was brought to justice. The rest had left the port and are yet at large.

An article worthy the attention of ladies.—At the late meeting of the Hartford agricultural society, several articles of domestic manufacture were exhibited of superior workmanship; and among the articles of wearing apparel were two elegant imitations of ladies Leghorn hats, made by two young ladies, from a grass common in the vicinity of Hartford. They were closely compared (says the editor of the Connecticut Mirror) with the finest Leghorns worn by the ladies in the city of Hartford, and so curiously were they wrought, that one of them at least, was pronounced equal, if not superior, to any with which it was examined. The material of which they are made, so nearly resembles that of the genuine Leghorn, that it would be difficult, if not impossible to distinguish the one from the other. This grass is commonly known by the name of *ticklematch grass*, but not being able to procure a specimen in season we are unable to give a botanical description of it at this time.—*E. Post.*

A black snake is said to have been killed near Mansfield, O. which was five and an half feet long, and had *two heads*, one at each end; "both equally natural."

Philadelphia mob. Extract from the presentment of the grand jury—"One of the duties of the jury has been an examination into the origin and circumstances of the late riotous and disgraceful event at Vauxhall Gardens. A vast concourse of citizens as-

sembled on the occasion as on a previous one in N. Jersey; disappointed in expectations, industriously excited, and naturally, though perhaps unjustly ascribing their disappointment to intentional fraud, dispersed, only after having witnessed acts of outrage and violence, hitherto unknown amongst us. The jury are unwilling to fix the blame upon any individuals, or to prejudge farther than they have already officially done, the cases now pending, or that may hereafter be brought before the court; but they cannot avoid observing that were some legal restrictions imposed upon those strangers who visit our city for the purpose of public exhibition, fewer opportunities for riot and uproar would occur. It is not the wish of the jury to discountenance rational amusement or philosophical experiment; but they conceive that it would greatly tend to ensure order as well as enjoyment, if they who profess to be skillful in matters of this description were required to undergo some kind of examination by our magistrates, and to give some security before they could be authorised to invite any numerous meeting of the citizens. It is presumed to be within the powers of the corporation to make an ordinance to this effect, and the jury most respectfully and earnestly recommend it.²¹

A balloon was raised at New-York a few days ago, and in two hours and a quarter after its ascent fell in Connecticut, at the distance of 150 miles by the usual road, or about 130 in a straight line.

• *Fire.* One of the great flour mills on the Brandywine, that which belonged to Thomas Lea, esq. was consumed by fire on Sunday night last. Loss about \$20,000, of which 18,000 was insured against.

New York, Oct. 25. The board appointed for the examination of the midshipmen who were candidates for promotion, adjourned on Saturday the 23d inst. The whole number of candidates proposed, comprising the first class, was twenty-five, twelve of whom were rejected. The following are the names of those who passed examination.

• Midshipmen—Newcomb, Nixen, Newton, Bowden, Bell, Biglow, Cambreling, Ellery, Freton, Jarvis, Stallings, Varnum, Whipple, Wolbert, Young, and Williams.

• *Cents* may now be had abundantly at the mint of the United States.

New Jersey election. The following table will give our readers a correct view of the state of parties in both branches of the legislature, and in joint meeting.

	True American.			
	Republican.	Federal.	Republican.	Federal.
	Council.	Assembly.	Council.	Assembly.
Bergen	1	2	0	1
Essex	1	4	0	0
Morris	1	4	0	0
Sussex	1	3	0	1
Hunterdon	1	4	0	0
Somerset	0	0	1	3
Middlesex	1	3	0	0
Monmouth	1	4	0	0
Burlington	0	0	1	4
Gloucester	0	3	1	0
Salem	1	2	0	1
Cumberland	1	2	0	1
Cape May	0	0	1	1
	9	31	4	12

Republican majorities.—In council 5—in assembly 19—in joint meeting 24.

Of the votes on the proposed amendment to the constitution we have no complete return; but no doubt it is negatived by an immense majority.

Vermont. The official return of the votes shews the re-election of gov. Galusha by a majority 12,628 votes.

Pleasant. The British consul for the state of Massachusetts, has published a letter of thanks to the people of Salem, for their liberality and benevolence in contributing to the wants of certain persons lately taken from the wreck of the British brig *Daphne*, and brought into that port.

Nashville, Oct. 2. A gentleman immediately from New Orleans, states that previous to his leaving that city, the agent of a company of Swiss merchants arrived there from Europe, bearing the official transfer from the Spanish monarch of the whole province of Texas, to his employers. The Swiss purchasers are required to settle the country immediately, to acknowledge fealty to his catholic majesty; but to be in every other respect, at liberty to form their own government, laws, &c.

The agent had expressed a wish to employ a small force to occupy the country until the settlers on the way arrived; but no one seemed to think it probable, that gen. Long would respect his transfer unless he had the power to compel it.

LIGHT WITHOUT HEAT OR COMBUSTION.

Extract of a letter.

“I have lately seen an account of a discovery of a singular and highly important character, announced in the latter part of August, at Paris, by a professor *Melnike*, (a German probably,) viz: an artificial gas confined in glass, assuming, by the electric shock, a permanent, steady light, without heat or combustion.

Here is a grand desideratum, indeed—a candle which can be thrust into carded cotton innocuous, or into a cistern of water unextinguished; which can be placed under one's pillow while we sleep, and take out at pleasure. Our houses, may be built with it in such a manner as to avoid the necessity of those cold holes in winter—windows.

The whale may keep his blubber, and the shark his liver; the coasts of the ocean may be lined with those newly discovered (*Pharoi*) light-bearers; they may be sunk on reefs, and shine up information through the deep; and, by anchoring them in lines through oceans, we may mark the ship road, and have guide posts, which tell the best path, for each month in the year, across the parallels of this ball. Extravagant as this may seem, I assure you that I have often entertained the idea that an insulated mass of *electron*, (according to Augustus B. Woodward,) or some *phosphorus*, might be produced in a permanent useful form. We now bottle up lightning,—we cork up the enemy of the small pox, and let him out at pleasure; we see our way by peeping at the skies, or into a box, (mariner's compass,) where we keep a little modicum of *polar essence* to steer by, &c. You recollect that in 1799, a hearty laugh was raised against the democrats by comparing them to the philosopher of Luggnagg, extracting *sunbeams from cucumbers*. Dean Swift would have put into his philosophical *whim-whams*, the bottling of lightning, together with the extracting of sunbeams from cucumbers, had he thought of it, or known that it was ever dreamed of. May congress soon be supplied, every man of them, with a pocket-light upon this new plan.”

The ingenious writer of this letter, (adds the correspondent who communicated it,) might have added, that this invention will be of excellent service to captain Symmes and his fellow travellers among the concentric spheres in the interior of our planet.

Nat. Int.

NILES' WEEKLY REGISTER.

NEW SERIES, No. 10—Vol. V.] BALTIMORE, NOVEM. 6, 1819. [No. 10—Vol. XVII. WHOLE No. 426

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

BANK OF THE UNITED STATES.—The general meeting of the stockholders of this institution commenced at Philadelphia on Monday last—Rufus King, esq. was appointed chairman, and Joseph Gales, junr. secretary. A grand committee, composed of gentlemen from most of the states of the United States, was raised to enquire into the condition of the affairs of the bank, on behalf of the stockholders, who were to have met again on Thursday last to hear their report. This is the whole amount of the proceedings which can reach us in time for the present number, except the following:

The *Democratic Press* says—The committee appointed by the stockholders, are very diligent in their enquiries, and their report is looked for with much anxiety. The expose of the president of the bank, is spoken of in high terms of approbation. One consequence likely to arise out of this thorough sifting of the affairs of the bank, is a change of the cashier. The Baltimore speculations and losses it is feared, are of greater extent and a more ruinous character, than have heretofore been apprehended."

SPAIN.—A Paris paper, of the 12th of September, announces the elevation of the duke de San Fernando to the office of prime minister of Spain, and remarks that this measure "is so far important as it is known that his sentiments, with regard to the cession of the Floridas, are favorable to the ratification of the treaty. He is said to have considerable influence over the mind of his sovereign."

BRITISH EMPIRE. It will be seen by a reference to our foreign articles, that the spirit of disaffection is rapidly marching to its termination in Great Britain. What the termination will be, we do not pretend to say—but this seems quite certain, that the present state of things cannot last much longer. Every day adds fuel to the flame, and a *commotion* appears to be generally expected.

"GLORIOUS UNCERTAINTY OF THE LAW!" The case of the bank of the United States *vs.* Joshua Norvell, recently decided at Lexington, Kentucky (see the report at length, page 150), has excited no little astonishment. It is the opinion of the court, after much argument and profound investigation, that the bank cannot recover the amount of a *promissory note* held by it—not being privileged by its charter to deal in such things! If this is the law—and the fashion is to consider the decisions of our judges as constituting it, the great purpose for which the bank was established, that of discounting promissory notes, has not been provided for in its charter.

If the case can be brought before the supreme court of the United States, we do not suppose that there will be any difficulty in settling this point on the broad principle which governed when the case of *McCulloch vs. the state of Maryland*, was before that tribunal. The constitution of the U. S. says that all powers not delegated are retained to the states or the people, and no power is granted to the general government to pass acts of incorporation; yet, the court determined that the bank was "*necessary and proper*" to give effect to the authorities delegated, and was therefore constitutional. So, al-

though the charter of the bank does not invest the corporation with the power to deal in promissory notes, but as such a power is "proper and necessary" to the bank, it follows that the charter comprehends it!

But suppose Mr. Norvell will not agree to carry the case up to the supreme court of the United States, and certainly, the decision being in his favor, he will refuse if he can—what is to be done? The right of the bank to prosecute individuals in the courts of the United States is denied (see page 150), and we believe has been successfully resisted, on constitutional principles—how then is the bank to recover its monies loaned to the people of Kentucky, if the people are not pleased to pay their debts which, however, every man ought to do?

State of the Times.

The article inserted below is the production of one of that class of men which is considered by us as the heart's blood of the republic—a plain, honest and intelligent countryman, "whose word will pass for more than he is worth," and whose nervous arm is always ready to defend the rights of his native land. Coming from such a quarter, we respect it and publish it, though we apprehend that our friend has not "viewed the whole ground" with his accustomed care.

He takes it for granted that congress will protect domestic industry, by the imposition of duties, &c. at the ensuing session. There cannot be a doubt but that our country's good requires this of the national legislature. But will they do it—is there enough of reflection and political science in that body to understand the principles of wealth, as derivable from labor—have they energy enough to resist the combined operations of foreign influence and domestic folly, as opposed to such proceedings—have they courage enough to raise a revenue by *honest* means, direct taxations of the people, instead of depending upon the present partial, unjust and oppressive, as well as *uncertain* mode of supporting the government? *Are the people prepared really to believe that they themselves as the consumers, pay the duties, though the merchant meets the bond for them at the custom house?* This appears to be a very simple question; but do we calculate when buying a pound of coffee for 25 cents, that one fifth of the amount goes to government? These are queries about which much may be said, and will probably furnish texts for an extensive essay two or three weeks hence.

Again—It is freely admitted, for we feel it as bad as any one, that money, according to the common understanding of the saying, is exceedingly scarce—but does this arise from the want of money or its fair representative, or because there is no profitable business to give it *circulation*? We apprehend that it is the latter which mainly affects the *plenty or scarcity* of money. If a man had a house full of eagles, what could he do with them now by which he might safely throw them into the *common business* of the people? We do not see how he could be any thing else than "a miser or a speculator," if he regarded his own interests, in the present prostration of domestic industry.

It is a favorite as well as a very general idea, that there is a want of a circulating medium—but we believe this want arises more in the want of *productive employment* for that which we have, than any thing else. The people now, do not generally want money to *make money* (as is the case in prosperous times), but to pay off old debts. Relief as to the latter is certainly an object of great consideration; but pay-day on the *new loans* would also come round, and unless money can be used to make more money, we should be hereafter worse off than we are now. There is no real relief to be expected while such is our policy, that a girl at Manchester, aided by machinery, produces something that balances the labor of four or five men in the United States.

The present awful crisis in the pecuniary affairs of the people, affords a fair opportunity to their statesmen and lawmakers, to see in their true colors, the impropriety of the measures pursued at the close of the war: to discern the policy wherein the real happiness and prosperity of the nation consists, and to apply such remedies as the dear, bought experience of the times evidently points out.

Although the expediency and necessity of affording every protection in the power of congress to domestic industry were fully and clearly made known at the proper time, with the precision of mathematical demonstration, which ought to stand as a perpetual monument of the sagacity, forethought and wisdom of those that framed the memorials and remonstrances on the subject, and of the want of these eminent qualities in those who rejected them,—yet there is some excuse for the measures adopted, in the impressions which but too generally prevailed. There were many who could not be brought to believe, by any force of reasoning, that it was their interest to pay even more for the manufactures of the country than for those imported of the same quality. *Feeling* was really necessary to convince some of their true interests, and we may now fairly presume that but one opinion prevails, among all who have any claim to intelligence, on the necessity of encouraging manufactures. Congress, it is to be expected, will then, lose no time after their meeting, in passing such laws as will effectually protect the manufacture of every article that can be produced in the country, in quantity equal to the home demand.

A question of much importance however arises. Can all the protecting laws which may be enacted, now set the factories a-going? Is there circulating medium enough to carry them on with any prospect of success? At the end of the war, there could be no question on this head; but now the consideration seems of great magnitude. From a general view of the state of the times throughout the union, the belief is justified that there is not. And if the whole amount of balances against the country in its foreign trade, for the last four or five years, was brought into one view, this belief would not only be strengthened, but the surprise great, that a single dollar should remain with us. The capital that does remain to any extent, is not in the power of those friendly to home industry, but generally in the hands of misers and speculators. If, then, there are not means sufficient to re-establish the old factories or to establish new ones, protecting laws would be nugatory, unless congress would, at the same time, devise some method to furnish a medium adequate to the purpose. If this could be done, for a limited time, without giving any improper influence to the government, or exciting any new

spirit of speculation among the people, the advantages resulting would be so great, that no man friendly to the solid wealth of the nation—its home industry, ought to oppose the measure. A currency might be established, bottomed on a pledge of reservations of public land, and loaned at interest, to those only who could give real estate of sufficient value in security. Such a currency would be useful to the government by the interest derived on it—would be useful to the nation at large by putting into active operation its industry and internal resources; and, in a short time, by a proper application of it, it would create real wealth and thereby supercede the necessity of its continuance.

Were congress to consent to add this plan or something similar, to proper protecting laws, and the people in general were resolved to act in the spirit of the system, we might, under the auspices of Divine Providence, anticipate a speedy change to better and happier times.

The paper system has already done so much mischief, that many well meaning persons deem it improper on any account: But such ought to reflect that part of the same evil itself, must sometimes be used as a cure. In the present case, the system is recommended, in an improved form, *only as a choice of evils*. That some remedy for the present state of things is wanting, needs no argument—every body knows and feels it. Multitudes of people, both able and willing to work, who have no means but their industry, cannot find employment. Many that have valuable property but owe even a little, cannot raise that little on account of the scarcity of money; so that property is every day falling a sacrifice, and without some change must continue to do so. Those who can command money, instead of applying it in a manner useful to the country, are watching for such sacrifices; and what is most to be dreaded, from a continuance of the present times, is—that too much property will fall, for little or nothing, into the hands of a very few persons, who may use the influence derived from it to the public injury.

British settlement in Illinois.

Extract of letter to the editor of the Register.

The town of Albion is now the centre and the focus of the British settlement in the Illinois, and where the trees spread their leaves last year, only. There are now about thirty habitations, for the most part occupied by brick-layers, carpenters, blacksmiths, wheel-wrights, coopers, and many other artificers necessary to the convenience and well being of man. It has also a well supplied store, a tavern, and a post office, whereat the mail regularly arrives twice a week.

It arose out of the union of the Flower family and some other gentlemen, who formed the plan and subscribed their land, for the mutual benefit of themselves and others of their countrymen. It has also a handsome market-place, a place of worship, and public library—and is progressing with all the rapidity that the most sanguine could wish. Notwithstanding all the evil reports that the common enemies to the British settlement have spread with eager and interested malignity, its advantages are superior to most new settlements in the United States. The town is situated on the dividing ridge between the great and little Wabash, about twelve miles from the former, and six from the latter. It is high, dry and healthy, and our medical attendant assures us, after a twelve months residence, that no

situation in England, with the like number of inhabitants, would have afforded so few patients.

The public have confounded the British settlement with the banks and the swamps of the Wash. There is no more of the quality of swamps in it, than in the hill-country of Virginia or Pennsylvania.

Its farming concerns also assume a most cheering appearance. This first harvest has produced nearly a sufficiency of corn and grain, for the subsistence of this rapidly increasing settlement, by the united efforts of British and American industry:—an union which promises fair to make the Illinois one of the most prosperous states of the union.

Farming is carried on more extensively than is usually the case in America—this arises from the natural advantages of its situation, being a open prairie and more easily cultivated than heavy timbered land. The first settler of land of this description, if he hires labor, cannot clear his land for less than from twelve to fifteen dollars, per acre—while the Illinois farmer can clear the most busy part of his land for five dollars, per acre, and enter on a much easier and less expensive mode of tillage.

The flocks and herds of Messrs. Richard and George Flower, beautify the scenery of the Illinois, and being gentlemen of eminence in agricultural concerns in England, promise fair to enrich America with a choice selection of cattle and sheep of the most approved breeds. They have already collected between two and three hundred head of cattle, and a flock of five hundred sheep,—from both of which there is a prospect of sufficient profit to remunerate them for their trouble. The corn fields of other gentlemen, also afford an abundant proof of the facility with which the Illinois is cultivated, by one person growing upwards of eighty acres of corn the first year of his settlement; and the numerous instances and specimens of industry and perseverance, which are exhibited by the settlers in general, have been the subject of commendation by all their visitors, both from England and the United States. These are, I trust, sufficient facts to overturn the unfounded reports of its enemies, and the statements of Mr. Cobbett, who has written without any correct information on the subject of this settlement.

Banks and Banking.

U. S. bank stock.—The price of this stock is quoted in the newspapers at about 98. In London at 217. 7s. 6d.—about 95 dollars.

The branch bank at Chillicothe, it is reported, has instituted a suit against the *old bank of Chillicothe* for FORTY-SEVEN THOUSAND DOLLARS.

"*Brutus*," in the *Avon*, has commenced a new series of essays respecting the bank of the United States. In his address to the stockholders who met on Monday last, he says—"your wisest act would be a petition to congress praying for a *law of dissolution*. There is a repose in death which no opiate can procure."

"*The country*."—A Philadelphia paper says that "Mr. Cheves, at the call of the country, was placed at the head of the national bank." "The country," by which we understand the mass of the people of the United States, had not much more to do in the election of Mr. Cheves than in the choice of the last pope—and why the bank should be called 'national' we cannot tell. It is not either *national* or *constitutional*, in our opinion.

"*Ohio elections*."—We noticed the result of the election in Ross county (in which Chillicothe is located),

last week. The district of counties composed of Muskingum, &c. gave the anti-bank candidate for senator 1659, and the gentleman who was friendly to the bank, 663 votes.

The Ohio controversy. From the Chillicothe Supporter of Oct. 20.—Messrs. John L. Harper and Thomas Orr, two of the officers who executed the warrant of the auditor, for the collection of the tax imposed by the legislature on the offices of discount and deposit of the bank of the United States located in this state, were, on Monday last, taken into custody by the deputy marshal, on a *capias*, for a *trespass vi et armis*, in taking said tax out of the banking house established here. Bail was required of them to the amount of \$240,850 each; but they, not willing to involve their friends in any trouble, refused giving any. They were then taken to the prison in this place, where they are now in close confinement. We are informed that a writ has also issued against Ralph Osborn, auditor of state, which was probably executed yesterday.

The overplus of \$20,355, of which notice has been taken in some of the papers, and which appears not to have been considered in requiring the amount of bail, was returned to the branch, and by them received, on the return of the officers from Columbus.

City bank of Baltimore.—A correspondence between the late cashier and the president of this institution is published, by which it seems that the present board made a mistake as to the amount of small notes issued beyond those registered or duly accounted for; and that, in this respect, the old cashier is not to blame.

Bankrupt law.—A writer in the New-York Evening Post, speaking of the bankrupt law, observes—"if a banking institution fail to redeem its notes, and in specie if required, on demand, it might and ought to be declared bankrupt: all further operations should, from that moment, cease, and its funds be placed in the hands of conservators, for the benefit of its unfortunate and unwary creditors."

"*Important failure*."—The bankruptcy of a merchant-tailor, in the little, sober, temperate and discreet town of York, Pennsylvania, is so announced in the newspaper of that place, and it well may be considered so,—for it appears that this tailor had stopped payment for the enormous sum of *eighty-four thousand dollars!* We did not believe that such a thing could have occurred, except in our large cities.

"Course of Exchange!"

That merchants and traders at a distance may know the rates for *shaving* bank notes at Baltimore, we offer the following brief notice of the value of paper, as it is differently marked, engraved and signed.

United States' bank and all its branches, par.

New-Hampshire, Massachusetts, Rhode-Island, Connecticut and Vermont bank notes—Boston at 1, the rest, generally, at from 2 to 3 per cent. discount, except those of Connecticut, payable in New-York, which are at par.

New-York city, and the country notes which are depositable in the city banks, par. Jacob Barker's 30 per cent. d.s.; Hudson, 90; do. "receivables," 80; Catskill aqueduct co. 50; McKean's & Myers' notes, 60, Utica insurance, 12; Ontario bank, 15 to 20; Jefferson county bank, 50; Cherry Valley, 10; all the rest pretty good—regulated by the market at New-York.

New-Jersey.—Most of the banks in this state are

nearly at par, or may be passed off as such—the rest at 2 or 3 dis.

Pennsylvania.—All the Philadelphia notes, par. The good country notes, $2\frac{1}{2}$ to 3 dis.; Pittsburg, 5; the rest at uncertain prices, or at no price at all, and too tedious to detail.

Delaware.—All good except the Commercial bank and bank at Laurel—the former at 7 per cent. dis. the latter at from 50 to 60.

Maryland.—City bank of Baltimore 10 dis.; Caroline, ditto; Elkton, Somerset, Somerset and Worcester, Port Deposit, and Cumberland, at no price. Frederick county, Havre de Grace and Annapolis, at par. The rest pretty good—the worst at 4 per cent. dis.

Virginia.—The old banks, $1\frac{1}{2}$ dis; bank of the Valley, from $1\frac{1}{2}$ to 2 dis.—no other notes in the market.

North-Carolina, $6\frac{1}{2}$ to 7 dis.; *South-Carolina*, 2; *Georgia*, 3; *Louisiana*, no demand, but $12\frac{1}{2}$, if sold.

Ohio—the best, the specie paying banks, at 10! Cincinnati, &c. from 20 to 40. Some as much as 50 or 60 dis.

Kentucky and Tennessee—old banks, if in demand, at from 15 to 20 per cent. dis.; new banks of both states, and bank of Nashville, not to be sold at all.

District of Columbia—generally, 1 dis; Mechanics' and Franklin banks of Alexandria, 50 or 60 dis.; Merchants' bank—6 cents for 1000 dollars!

☞ The rates of discount on much of the paper abovementioned, oftentimes varies several per cent. in the course of a week. The brokers assume the power and virtually possess it, of causing such fluctuations at pleasure. The above were their rates on the 1st of this month.

Accounts current!—A very respectable gentleman a few days since, forwarded a letter containing \$6 in notes of a good bank at home, and which also ought to be respected here, and would have been, except for the modern miseries of the paper system. The account stood as follows:

For the Weekly Register to Sept. 1820,	
and supplement to vol. 16,	\$6 00
Deduct—postage of a triple letter, 75 cts.	
discount on the money forwarded, at 15	
per cent. 90 cents, - - -	1 65

Net proceeds, - - \$4 35

Another gentleman ordered the supplement to vol. 16, and enclosed a one dollar note to pay for it—luckily the note was at par!—so the matter stood thus:

For the supplement, - - -	\$1 00
Deduct postage on a double letter, - - -	0 50

Proceeds, 0 50 cts.

☞ These things happen for want reflection.

Legislature of Vermont.

On the 14th ult. the legislature of this state convened at Montpelier, and on the 15th the governor delivered the following speech:

Gentlemen of the council, and gentlemen of the general assembly,

It is with pleasure that I meet you on the present occasion, at a time of so general prosperity; when not only our own state and country, but the nations of Europe, share liberally of the blessings of Providence. The last season has been peculiarly propitious, and the earth has yielded her increase in great abundance. It is also a subject of the most pleasing consideration, that our dear bought rights and

privileges remain secure, and our laboring citizens yet reap the rewards of their own industry; and that peace and a good understanding continues between us and the nations with whom we have any considerable intercourse. Although some apprehension exists, that the arrangements with Spain, so happily concluded with their minister, will not be ratified on the part of the Spanish government, yet we may entertain a hope, that further reflection will enable them to judge more correctly of their own interest, and put an end to the long existing disputes between the two governments, and settle a boundary line, which will prevent all danger of future disturbances.

While we enjoy a rich variety of distinguished favors, we ought to reflect on them with gratitude, and render the most unfeigned praise to Him who so liberally bestows on us his richest blessings. Permit me, gentlemen, to enquire, that while we enjoy all the means of wealth and happiness, why so general an complaint of the scarcity of circulating medium, and the consequent distress of individuals, in discharging their private debts and managing their own concerns, prevail? For a people, possessing a rich and extensive territory, abounding with the fruits and productions of almost every clime; with an unshackled commerce throughout the habitable world; possessing genius and enterprize, exceeded by no people on earth, to be in distress for want of a sufficient portion of medium, is a subject that loudly calls for investigation and reform. Amongst the various causes, the want of economy, in my opinion, is the most prominent.—The unlimited credit given in this country, in almost every branch of business, to say nothing of the banks, proves the ruin of too many valuable citizens, of every class and profession in society. The frequent bankruptcies, suspensions, and commitments to the county jails, sufficiently prove the fact. I am sensible that this great and growing evil, cannot be wholly remedied by acts of legislation; yet, I am persuaded, that every wise and virtuous legislature will study and promote economy, wherever it is consistent with justice, and that benevolence which is due to our fellow creatures.

Suffer me, gentlemen, to submit, for your consideration, the propriety of passing a law freeing the body of debtors from arrest and imprisonment, on debts of a small amount, which may be contracted after a given time, in future. I am of opinion, that more property is spent in collecting small debts by law, especially where the body is taken in execution, than the amount of debts saved by such collection. I also believe, that it would discourage credit where it ought not to be given, and produce punctuality in those who obtain it; yet the only safe remedy against embarrassment or poverty, is a retrenchment of family expenses, and lessening the consumption of articles of foreign growth and manufacture. Much may be done by encouraging home manufactures by legislative provisions, but the most powerful of all means is that of example. Let but one influential citizen, from each town in this state, return from this legislature to his constituents with a rigid determination to abandon the unnecessary use of foreign articles, and while he enjoys all the real comforts and actual conveniences of life, reject every thing that is superfluous; his fellow citizens would soon emulate his example, and exhibit an improved state of society.—General information is indispensably necessary to the preservation of a free republican government; but this cannot be retained, if the great body of the people, through want of economy, indulge their propensities in the

use of superfluities, and become poor and unable to educate their children. The patronage of the wealthy, will never be indiscriminately extended to the children of the whole community. Even that source will diminish where extravagance prevails.

If I am not mistaken, in those states where the banks are the most numerous, and the means of credit the most easy, the recent cry of scarcity of medium, and its consequent distresses, have been the most heard and felt. This, gentlemen, will deserve some attention, if petitions to increase the number of banks in this state should be preferred. Although I wish equal privileges to be extended to every part of the state, yet I am confident, that a multiplicity of incorporated banks in a state, will prove injurious to the community, if not ruinous to each other.

In compliance with the constitution of this state a council of censors must be chosen, on the last Wednesday of March next; it, therefore, becomes necessary for the general assembly, at their present session, to pass a law regulating the choice of said council, and appointing a place for the first meeting.

It will also be requisite to elect a number of trustees of the university of Vermont, to fill the vacancies of those whose times of office will expire on the last day of November next. I would likewise suggest for your consideration, the propriety of granting some further pecuniary aid to the university, in order to enable its officers to render it eminently useful and truly honorable to the state; at least, until the land granted or sequestered, for that purpose, can be leased, and produce that revenue to the university which was expected, and which, I hope, will soon be realized.

The act for ascertaining certain claims of this state against the United States, and for obtaining the same, has been duly attended to, but has not yet been decided on.—It was late in the last session of congress before all the necessary papers could be forwarded, agreeable to information received from our representatives, relative to the evidence that would be wanted to substantiate the claims. The papers now lie with the third auditor in the treasury department, for adjustment.—I expect a settlement soon after our representatives arrive at Washington, at the next session, if it is not done before.

I am informed by Lt. Bangs of the U. S. ordnance department, at Vergennes, that he has been directed by the senior officer of that department, to deliver to the executive of this state, six hundred and seventeen stands of arms, being a part of this state's proportion, under the law of the United States, approved April 23d, 1808, making provision for arming the whole body of the militia of the United States. The arms are to be distributed to the militia, under such rules and regulations as shall be, by law, prescribed by the legislature of each state and territory. The general assembly will, therefore, make such order relative to the disposition of said arms, as they judge most expedient. Lieut. Bangs will deliver the arms at any place within this state, where they can be transported by water; but is not authorized to remove them to any place by land carriage.

All communications that have been made to me, during the recess of the legislature, will be the subject of a special message, and seasonably communicated.

I cannot, gentlemen, close this address without expressing to you, and through you to the freemen of this state, the grateful sense I entertain of the honor bestowed on me in electing me to the office

of chief magistrate of this state. The repeated assurance of their confidence has added new obligations to improve my feeble ability in promoting their best interest. Notwithstanding I have labored under many disadvantages yet, I have the approbation of my conscience, that I have endeavored to be faithful, and that I have never suffered my private interest to interfere with my public duties. And, if errors have been committed, I entreat my fellow-citizens to cast over my failings the mantle of charity, and consider them errors in judgment and not design. I have always thought it wrong, in a republican government, to make too frequent changes of men in office, least it checked that laudable ambition to acquire that knowledge which is necessary to discharge the duties of the office, with honor to themselves, and for the best good of the state. But I consider it an equal if not a greater error, to continue any persons in the most important offices in the state for such a length of time, as to encourage them to conceive that they ought to hold their offices by prescription, and lose that sense of responsibility to their constituents that every officer in a free government ought at all times to feel; nor until old age imperceptibly steals upon them, and renders them less adequate to perform the duties of their office, than they themselves imagined.

From these considerations and the great desire I have to spend the residue of my life in domestic retirement, I recommend to the freemen of the state to unite on some other person to perform the duties of chief magistrate, after the expiration of the time for which I have been recently elected. Yet be assured, that my zeal for the public good will never cease but with my reason or my life. I hope, through the aid of an indulgent Providence and your kind support, to be able to discharge the duties of my office to acceptance, during the present year, and, at the close of the same, to have the pleasure of bidding you a friendly farewell.

JONAS GALUSHA.

Montpelier, Oct. 15, 1819.

The following address was delivered by lieutenant governor Brigham, before both branches of the legislature, on the 14th inst.

*Gentlemen of the council,
and of the house of representatives,*

I embrace this opportunity to manifest my acceptance of the office to which I have been declared duly elected.

And on this occasion I beg leave to observe that for more than forty years I have been honored by my fellow citizens with various offices, both civil and military, some of them of minor grades, others of more importance, all of them honorable. In the discharge of the duties incident to those offices to say that I have never erred would be absurd, but from the repeated elections which I have had, it might be charitably hoped that I had invariably meant to discharge the duties which devolved upon me in such a way as would best promote the public welfare.

I have now arrived at the age marked in holy writ as a time of labor and sorrow, at a period too in which the world has almost lost its charms. For several years past I have neglected making a similar communication to this, from considerations in some degree aside from my own judgment and feelings, but for a long time I have been determined not to let the present occasion pass, without manifesting in this public manner, that it is my wish hereafter, not to be considered a candidate for any office. I have chosen the present time to make this

communication, that the members of the legislature and others might have the best opportunity to select a citizen, who they could present to the consideration of the freemen at large, to fill the office which I now hold

I cannot refrain at this time, as it probably is the only one which will ever present itself, to express the deep sense of gratitude which I feel to my fellow citizens, for the many unmerited favors which they have so repeatedly bestowed upon me, and to offer up to that Being who directs the destinies of worlds and individuals in the best possible manner, my most fervent supplicants for the prosperity and happiness of this state.

I am now ready, for the last time, to take the necessary oaths of office, as required by the constitution and laws of this state.

PAUL BRIGHAM.

Montpelier, Oct. 15, 1819.

Important Law Case.

FROM THE KENTUCKY GAZETTE.

The defendant in the action reported below, was a debtor in the branch bank of the United States at Lexington, by a note for \$600, payable to John T. Mason, Jr.—endorsed by said Mason to Richard M. Johnson, and by said Johnson assigned to the president, directors and company of the bank of the United States. This corporation commenced an action against the defendant on a petition and summons, in the Fayette circuit court, returnable to the present term. A demurer was filed by the defendant, under the 9th section of the charter, which brought before the court the question—whether or not the institution has a right to deal in promissory notes? and other points were treated of, which are fully exhibited in the opinion of the hon. Benjamin Mills, as given in this paper. Blair and Butler were counsel for the bank. Bledsoe, Haggin and Humphreys for the defendant.

It is proper here to observe that the defendant would not have suffered suit to be brought against him, but for a bank requisition which he deemed unreasonable, unjust, and without the pale of the powers of the bank directory.—And the defendant does not intend to avail himself, as we believe, of any legal advantage he has obtained.

The president, directors and company
of the bank of the United States,
vs.
Joshua Norvell.

on petition & summons

The court being now sufficiently advised of, and concerning the demurer of the defendant to the petition, delivered the following opinion, viz:

The plaintiffs set out a note made by the defendant in favor of John T. Mason, and by him assigned to Richard M. Johnson, and by Johnson assigned to the plaintiffs in their corporate capacity.—Thus they shew their title to support the legal averment in the petition, that they "have thereby become proprietors thereof." The note, on its face, is made payable at their office of discount and deposit, in Lexington. From this statement, taken as the record presents it, the plaintiffs have become the purchasers of the note in question, and the following questions have been made and debated at the bar: Are the plaintiffs allowed by their charter to purchase the note? and if they are not, as they possess it, can they hold such property therein as will authorize this suit to recover the amount, and they remain subject to the penalties inflicted by their charter? Or, in other words, have they acquired a title which must remain unimpeached, not being expressly declared void,

while the only redress is an infliction of the penalty for a breach of the charter? The court will proceed to answer these queries. It is a sound rule with respect to corporations created by statute, (and none in this country can be created in any other way,) that they can only act in the manner prescribed by law. They are the mere creatures of the acts to which they owe their existence. They must be precisely what the incorporating acts make, and derive all their powers from these acts, and be incapable of exerting their functions in any other manner than the acts allow. This principle is strongly recognized by high authority—[see 2 Cranch 127. Head and Armory vs. Prov. Ins. Co. 2 Johnson's rep. 109. Beatty vs. Marine Ins. Co.] Taking this rule for a guide, the court will proceed to examine the incorporating act of the United States bank. Its powers delegated, and capacities granted in the 7th section, are indeed ample. It is made "able and capable in law, to have, purchase and receive, possess, enjoy, and retain, lands, rents, tenements, hereditaments, goods, chattels and effects, of whatever kind, nature and quality." But these powers are in the close of the section made "subject to the rules, regulations, restrictions, limitations, and provisions" thereafter prescribed and declared. Of course, what follows must form the demarkation of power and capacity. If this section, with such an ample grant, was to have no restriction, the corporation with such ample means, instead of being the hand-maid, would, or might soon become the mistress of the sovereignty which created it. The debts payable in property of every embarrassed individual, might be procured at a fearful discount. Estates, sold under execution, might soon be engrossed by the bank at large sacrifices, and disposed of at large advances. The evils of such a corporation existing, may be more easily conceived than expressed. The court then will take what follows as the true limits of power. The 7th article of the 11th section declares, that "the lands it shall hold are only such as shall be requisite for its immediate accommodation in relation to the convenient transacting of its business, and such as shall be mortgaged to it by way of security or conveyed in the satisfaction of debts provisionally contracted in the course of its dealings, or purchased at sales upon judgments, which shall have been obtained for such debts." If the bank should acquire lands in any other mode, or for any other purpose, than this article allows, would its title be valid? The court presumes not. Consequently, among the same articles adopted for its government, the court will look for its power and capacity to acquire or hold personal estate. Accordingly, in the 9th article of the same section, this emphatic restriction is found: The said corporation shall not directly nor indirectly deal or trade in any thing, except bills of exchange, gold or silver bullion, or in the sale of goods really and truly pledged for money lent, and not redeemed in due time, or goods which shall be the proceeds of its lands." Now the note in question is not a bill of exchange, nor indeed a quasi bill. Promissory notes in this state are made assignable, subject to the equity or defence attached to them in the hands of the original payees. Only these actually discounted by the bank of Kentucky, or other banks, whose charters contain the same express provision, are placed on the footing of foreign bills of exchange. Their consideration, and the consideration supposed to pass between each assignor and assignee, is contestible, and no person is estopped by the application of the law-merchant to set up defence against

the validity of the note or the endorsement thereof, as he would be in the case of a bill of exchange. The charter under consideration gives not to the notes held by the corporation the dignity of bills of exchange; of course, they are subject to the law of the place where the contract is made. The note in question cannot come under the other denominations of chattles described in the article last recited, to wit: gold or silver bullion, or goods really and truly pledged for money lent and not redeemed in due time; for no pledge is alleged or pretended; on the contrary, absolute ownership is averred and relied on. Of course, the court concludes that the bank was not permitted to purchase the note in question. Nor will any construction put upon the words *deal or trade*, authorize them to do so. These words, it is true, mean *buying and selling* these articles; and, if the bank is prohibited from doing both, either must be included in the same prohibition. Nor will the concluding expressions "*for or upon its loans or discounts*," give the authority—for they are authorized to loan the articles which it is allowed to hold, and to issue bills of credit in another part of the charter—and as to its discounts, it is peculiarly applicable to bills of exchange which it may lawfully buy and sell. Nor does the court suppose, that the expressions inserted in the note in question, that it shall be payable and negotiable at the office of discount and deposit of the bank, authorize the purchase; for the bank must derive its authority from the act of its creation, and not from the grant of the defendant.—This conclusion, that the bank could not purchase the note, is somewhat fortified by the silence of the charter, as to what kind of notes it can purchase or acquire, when a provision of that nature is found in the charter of the bank of Kentucky, and in most other acts of incorporation, which authorize notes to be taken. The kind of note, where payable, and how and when negotiable, must be expressed on the face of the note. But the act now under consideration, describes not the kind of notes in which the bank may deal; of course, if it can purchase this one, it may purchase all notes afloat in society, whether for money or property, and the power, if it exists at all, is unrestricted. The same conclusion is, however, more forcibly strengthened by the 12th section, which enacts or declares "that if the said corporation or any person or persons, for, or to the use of the same, shall *deal or trade* in buying or selling goods, wares, merchandize, or any *commodity whatsoever*, contrary to the provisions of this act, all and every person and persons, by whom any order or direction for so dealing or trading shall have been given, and all and every person and persons who shall have been concerned as parties or agents therein, shall forfeit and lose treble the value of the goods, wares, merchandize, and commodities, in which such dealing and trade shall have been," &c.

If, therefore, the plaintiffs were not allowed to make the purchase of the note in question, yet as they have got it, are they allowed to hold it and coerce its collection, and be permitted to atone for the offence by paying the penalty, if it shall ever be inflicted? Or, in other words, when a positive law has declared that the act shall not be done—is the act good, when the penalty is paid, and can a title, acquired contrary to the express direction of the law, be a valid one? The affirmative answer to these enquiries has been ingeniously and ably supported by the counsel for the bank, and has the sanction of high authority on its side. The courts of Westminster Hall seem in some degree astute, in sup- porting

actions originating in illegal transactions. It has been said by them that where the illegal contract is executory, money paid upon it, may be recovered back, aliter if it be executed—and that where the contract is only *malum prohibitum*, and not *malum in se*, it was a good consideration to support an action. Such are the principles of the case—Lowry vs. Bordien, Doug. 470; Tappendin vs. Randall, 2 Bos. and Pull. 467; Faikeny vs. Reynnolds, 4 Bur. 2069, 1 Bur. 545, Cro. Ja. 645, 1 Wilson 229, 2 Bur. 1077, and some cases of Durnford and East, since the revolution. These cases, even with regard to natural persons, whose interest they decide, are very questionable; but they are still more so with regard to a corporation, the artificial creature of its incorporating act, the limits of which it ought never to be permitted to transcend; for how an unlawful transaction should even in any way become the legal basis of an action at law; or in other words, that the law should even in any manner lend its aid to enforce claims arising out of its own principles, is to this court unaccountable. To state the proposition seems to refute it. It strikes the mind at once as contrary to reason and law. This court will rather at once lay down and maintain the broad principle, even with regard to natural persons, that what the law says shall not be done, shall not vest a title or receive any aid when it is done, and is discoverable in any existing or pending controversy; and that a title acquired against law shall not be enforced by law, whatever atonement the offender may be able to make, by paying the forfeit annexed to the forbidden act. This principle has met with the sanction of many of the courts of the United States, and different states of high standing. [See Maybin vs. Coulin, 4 Dallas, 298; Mannay vs. Eves, 3 Cranch 242; Mitchell vs. Smith, 4 Dall. 269; Duncanson vs. McClure, Ibid. 308, and sundry other cases in the New York reports.]

These cases, which may be consulted at leisure, will shew that the ground now assumed by the court, wants not the sanction of authority and precedent, as well as the first principles of reason, even where natural persons with natural rights are concerned, and of course corporations, and especially those of a potent, extensive and monopolizing character, ought to be as strictly, if not more so, confined within the rules of reason and good order, and circumscribed within the strict limits of delegated authority. Upon the whole, it seems to the court that the law arising on the demurrer, is for the defendant. It is therefore considered by the court, that the plaintiffs take nothing by their bill, but for their false clamor be in mercy, &c. That the defendant go hence, without day, and recover of the plaintiffs his costs, by him, about his defence in this behalf, expended.

The Slave Question

IN MISSOURI AND ARKANSAS.

We have procured a copy of the minutes and proceedings of the "American convention for promoting the abolition of slavery," convened at Philadelphia on the 5th of last month. Present, delegates from several societies.

Among the papers entered in the proceedings our attention has been called to the following report—and many, we have no doubt, will be gratified with its insertion in the REGISTER. It is a powerful paper.

Report of a committee of the Delaware society, respecting the constitutional powers of congress to prohibit or restrict slavery within the territories belonging to

the United States or new states, on their admission into the federal compact.

The committee to whom was referred the subject of the powers of congress to restrict slavery in the proposed state of Missouri and the territory of Arkansas, respectfully submit the following report:

The committee are deeply impressed with the importance of the subject submitted to their consideration. A question, arising under the constitution of the United States, the great charter of our liberties, involving the respective powers and rights of the federal and state governments; a question, upon the issue of which depends the probable welfare and happiness, or the certain misery of so many millions of the descendants of Africa; and the decision of which must greatly affect, if not entirely determine the character and duration of the American republic, demands the most serious attention and the most dispassionate and candid discussion.

Your committee have therefore viewed with much regret and alarm, the temper and disposition that were exhibited in the debate upon this subject in congress at its last session. Whilst some of the members, abandoning the open field of candid enquiry and fair argument, contended, that any act of congress restricting slavery in the proposed state of Missouri, would be disregarded and contemned by the people, and thereby be rendered nugatory; others assumed the tone of defiance, and the language of menace and contumacy.

If this momentous question is to be decided under the influence of feelings, such as those that have been recently manifested, the advocates for the restriction of slavery cannot but tremble for the result, and still more deeply deplore the fate of those unoffending and unhappy beings who will become its certain and miserable victims. It therefore becomes highly important, that the public attention should be immediately and properly directed to the subject, and that the opinions and sense of the legislatures of the respective states, whose weight and influence in the scale of the union are to be materially and deeply affected by the decision of the question, should be speedily ascertained, and openly expressed.

There has been, in the opinion of your committee, a period in our national history at which the public voice on this question would not have been divided. When, under the wrongs and tyranny practised towards this country by the government of Great Britain, the hearts and minds of the citizens were feelingly alive upon the subject of civil liberty; when it was unanimously declared by the thirteen United States of America, "that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness; and that governments derive their just powers from the consent of the governed;" if it had been suggested, that one object of the union, was not only to perpetuate the odious state of slavery, but to extend it beyond its present limits; that, so far from a right being reserved to the federal government to restrict the evil, they might be compelled to aid its extension, the accusation would have been repelled with indignation, and considered a libel upon the American character.

Many of those illustrious characters who framed our constitution, it is fair to presume, would have preferred the evils under which our country then struggled, to the adoption of a constitution which might entail bondage upon so many millions, and spread it over a country of such wide extent, as would, most certainly, become the property of the

United States and become incorporated into the union. But, more clearly to illustrate the feelings and opinions, which prevailed upon this subject, we refer to acts, which leave no room for doubt or misapprehension.

On the sixth of April, 1776, even previous to the declaration of our independence, the importation of slaves was expressly prohibited. Upon the cession, to the United States, of the territory north-west of the river Ohio, a cession too, it is to be remarked, to which a slave holding state, Virginia, was a party, an ordinance was passed by congress, on the thirteenth of July, 1787, the sixth article of which is in the following words: "There shall be neither slavery, nor involuntary servitude, in the said territory, otherwise than in the punishment of crimes, whereof the party shall have been duly convicted. *Provided always*, that any person, escaping into the same, from whom labor, or servitude, is lawfully claimed, in any one of the *original* states, such fugitives may be lawfully reclaimed, and conveyed to the person claiming his, or her labor or servitude, as aforesaid." These acts, in the opinion of your committee, do not require explanation, or comment. They show, as plainly as acts can show, that previous to the adoption of the constitution, congress, deriving its powers from the articles of confederation, which, as far as its regards this subject, gave less jurisdiction than they now possess under the present constitution, did possess the power, and exercise the right, of legislation on the subject of slavery, to the fullest extent, so far as it did not affect those who were then within the actual limits of the states composing the confederation. The existence of this power was not then denied, against its exercise, there were no objections.

These acts, exhibiting a cotemporaneous exposition of the powers of congress over the subject under consideration, afford the fairest, and best rule of construction that can be given. It is the rule by which judges are guided in the construction of statutes, and in the application of the principles and maxims of the common law; and it is the rule, to which common sense would refer, to ascertain the meaning of any ancient grant of power, or charter of rights, about which doubts could arise.

The question then fairly occurs, in what respect has the present constitution of the United States abridged, altered or destroyed, the powers which congress possessed, and exercised, over this subject, under the articles of confederation? By the second article of confederation, "each state retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right, which is not, by this confederation, expressly delegated to the United States, in congress assembled." Nor is there any provision to be found in the act of confederation, authorising congress to legislate upon the subject of the importation of slaves, or their migration, or to admit new states, except Canada should agree to the confederation, unless such admission be agreed to by nine states; not to pass laws, or regulations, in regard to the territory of the United States. Hence it will appear, that far less power was delegated to congress, by the articles of confederation, than is now possessed under the present constitution. For the power which congress now possesses under the constitution, the committee beg leave to refer to the ninth section of the first article of the constitution, which provides, that "the migration, or importation, of such persons, as any of the states, *now existing*, shall think proper to admit, shall not be prohibited by the congress, prior to the year 1808." The peculiar phraseology of this clause

is worthy of remark. In no other part of the constitution where the states are mentioned, are they mentioned as the states *now existing*.

It is just, therefore, to infer, that the importation of slaves, and of course the existence of slavery, was strictly limited to the states then existing; and that no state, or territory, that should afterwards be incorporated into the union, could be considered, in regard to this clause of the constitution, in the same light as the states then composing the union. So also, in the ordinance of 1787, already alluded to, we observe a similar phrasology, where it provides, that any person escaping into that territory, from whom labor, or service, is lawfully claimed in any one of the *original states*, such fugitive may be lawfully reclaimed, &c. holding the same language, and conveying the same idea, of the restriction of servitude to the states then existing.

Congress have not been remiss in exercising a part of the power granted in the last recited clauses of the constitution. Laws have been enacted, prohibiting the importation of slaves, since the year 1808, under very severe penalties. In regard to their migration, though no act of congress has yet been made to prohibit it, yet an act has been passed regulating the mode of their conveyance and passages coastwise, which clearly indicates that congress considered itself as having the power of legislating on the subject. We refer to the eighth and ninth sections of the act passed March 1st, 1807, which enacts, "that the master of any vessel of forty tons, or more, from, and after, the first day of January, 1808, sailing coastwise, having on board any negro, mulatto, or person of color, for the purpose of transporting them to be sold as slaves, shall subscribe duplicate manifests of every such negro, and shall severally swear that the persons therein specified, were not brought into the United States after the first day of January, 1808, and that under the laws of the state they were held to service, or labor." Under the term "persons," therefore, mentioned in the ninth clause of the first article of the constitution, it has been considered by congress that slaves, negroes and mulattoes, are meant, and included, and their migration, or importation, to use the words of the constitution, may be prohibited after the year 1807.

With regard to the true meaning and intent of the words migration and importation, as used in the constitution, your committee have no doubts.—They do not find that even in common parlance, or by authors of approved authority, they are used or considered as synonymous. Importation is the act of bringing into a country from abroad; migration is the act of changing place in the same country.—But, had it been intended to vest in congress by this clause, no other nor further power than that of prohibiting importation, the meaning could not have been more simply or plainly expressed, than by the term importation alone. The word migration being tautological, would not have been used.

But, whatever doubts may be entertained upon this branch of the subject, your committee are of opinion, there can be none as to the power of congress to restrict slavery in the territories of the United States, and in those states which are to be admitted into the union. In the third section of the fourth article of the constitution, it is provided: "The congress shall have power to dispose of, and make all needful rules and regulations respecting the territory or other property to the United States," and in the same section it is also provided, that new states may be admitted by congress into their union. Language could hardly be found to express a

more full and ample delegation of power than is contained in these clauses. To dispose of or sell a territory, to make all needful rules and regulations respecting it, or to admit it into the union, seem to be powers that confer on congress as large a discretion, as can well be imagined or required, so far as they relate to the subject under consideration. Hence, should a territory become burthensome or unprofitable, it may be disposed of; should a new state be proposed, the citizens of which would make worthy members of our republic, whose constitution would be republican, and contain no provision inconsistent with, or repugnant to those sacred principles of civil liberty, recognized and adopted in our bill of rights, and sanctioned by our constitution, congress may admit them into the union.

Should congress consider slavery to be inconsistent with or inimical to republican institutions, and a new state should refuse to restrict its existence; or should a new state make no provision for that great safe guard a d palladium of civil liberty, the right of trial by jury; should there be no provisions for protecting the weak from the violence of the strong, or the poor from the oppression of the rich, or should the admission of a new state, be considered as detrimental to any of those now composing the union, the blood and treasure of whose citizens have been expended in rearing and supporting the noble fabric of our constitution; all or any of these reasons would not simply justify, but demand their rejection from the union.

The constitution does not give to any people or territory, the power of claiming admission into the union as a right; in the view of the committee, the only delegated power in regard to this subject is exclusively vested in congress, to be exercised at their discretion.

But whatever may be the discretionary power of congress, as to the admission of new states, and of making all needful rules and regulations respecting its territories, it has been said, it cannot be exercised in relation to the people of Missouri, in consequence of the provisions contained in the treaty and cession of Louisiana. The third article of that treaty provides that, "the inhabitants of the ceded territory shall be incorporated in the union of the United States, and admitted as soon as possible, according to the principles of the federal constitution, to the enjoyment of all the rights, advantages and immunities of citizens of the United States, and in the mean time, they shall be maintained and protected in the free enjoyment of their liberty, their property, and the religion which they profess." Upon this objection your committee observe, that treaties like other contracts, are to be construed and performed according to the true intent and meaning of the agreement, and the respective powers of the contracting parties. In regard to this particular question, it is not unfair to presume, that it never constituted a subject of deliberation with either party.

It is a matter of course, in treaties of cession, to provide for the protection of the inhabitants of the ceded country, in their property, persons and religion; and that they shall be admitted to the enjoyment of the laws and privileges of the country to which they are ceded. But these customary clauses are not meant to abridge or destroy the right of the government to make such needful rules and regulations, and to enact such laws respecting the ceded territory and its inhabitants, as are within the general scope of their constitutional powers. It is not pretended that the French government, in making

this treaty, meant to stipulate for any particular form of government, or code of laws, under which the ceded territory was to be held or governed. It was just and proper on their part to provide that the inhabitants of the ceded territory should not be left without the pale of government, by which they might be protected.

But had it been required of the government of France to specify whether it was intended by those words, "the inhabitants of the ceded territory shall be incorporated into the union of the United States, and admitted, as soon as possible, according to the principles of the federal constitution, to the enjoyment of all the rights, advantages and immunities of citizens of the United States," to deprive congress of the power of restricting slavery, the obvious and natural reply, in the opinion of your committee, would have been, that this was a subject of future legislation, to be regulated and determined according to the principles of the federal constitution.— Their language would have been, "we intend to provide for the present inhabitants of the territory, the protection of your laws, and the benefit of becoming members of your republic, in the same manner, that they have been enjoyed by the inhabitants of other territories belonging to the United States, and which have been admitted into the union." It is not provided that the inhabitants of the ceded territory, are to be admitted according to their own will or pleasure, and to enjoy the immunities and advantages of citizens of the United States, according to their own caprice, or under such conditions as they may require; but they are to be incorporated into the union of the United States, and admitted as soon as possible, according to the principles of the federal constitution.

What, it will be then asked, are the principles of the federal constitution applicable to this subject? Your committee have already shewn, that one provision in the constitution is, that congress have the power to make all needful rules and regulations respecting the territory of the United States, which includes a right to restrict slavery, and that in the exercise of this power, slavery was abolished in the territory north-west of the Ohio; that they have the power also to prohibit the migration and importation of slaves, and the power of admitting new states at their discretion. And if congress may admit new states according to its discretion, it most clearly appears, that the stipulation in the treaty, "the inhabitants of the ceded territory should be incorporated into the union," is subject to the control and exercise of this discretionary power. The contracting parties, both apprised of these constitutional powers in congress, knew that they could not be limited or destroyed by a treaty, have therefore made the admission of the ceded territory *dependent on*, and their incorporation into the union to be according to the principles of the federal constitution. Your committee are therefore of the opinion, that the treaty does not, nor was it intended by the contracting parties that it should contain any provision, inconsistent with, or derogatory to the power that congress possess over this subject under the constitution.

It is further to be observed, that by the treaty, the inhabitants of the ceded territory are to be admitted to the enjoyment of all the privileges, advantages, and immunities of citizens of the United States. In the *character* of citizens of the United States, as members of the federal compact, slaves cannot be held. They can be held only by citizens of some particular state, deriving their power solely from the state government. On this point of dis-

inction between citizens of the United States, and citizens of particular states, your committee can perceive no ground for contrariety of opinion. For it has been most strenuously contended by the opponents of restriction, that the states have reserved to themselves the exclusive power of continuing or abolishing the rights and advantages of its citizens to be derived from the holding of slaves, and that the constitution confers no authority on congress to legislate upon the subject, or in any manner to effect this species of property. If the constitution therefore and congress can impart no right, nor confer any power as to citizens of the United States in regard to slavery, it would be absurd to say, that being admitted to all the rights, advantages, and immunities of citizens of the United States in the language of the treaty, would give to the inhabitants of the ceded territory the right of holding slaves. But, it is to be remarked, that the treaty only stipulates for the admission of the inhabitants of the ceded territory, according to the principles of the federal constitution. Congress, therefore, is the tribunal to decide what are those principles, and whatever may be the wishes or opinions of the French government, or of the inhabitants of the ceded territory upon this subject, they are bound in good faith to submit to, and abide by this decision. This is the tribunal established by the constitution, to decide whether a new state may be admitted into the union. In regard to this subject, the jurisdiction of this tribunal is exclusive and paramount; and so far as the treaty making power should attempt to control or prescribe terms or conditions to the full exercise of this jurisdiction, its acts would be nugatory and unconstitutional. Your committee, however, do not admit the idea, that in the present case the provisions of the treaty are in any respect inconsistent with the full and unqualified exercise of the power, which congress possess over the subject.

But it may be asked, what principles are to be found in the federal constitution, upon which the inhabitants of the ceded territory can claim a right to the unmitigated, and unrestricted power of holding their colored population in perpetual bondage? In the first clause of the constitution, its principles and views are most fully developed, and forcibly expressed. "We, the people of the United States, in order to form a more perfect union, establish justice, ensure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this constitution for the United States of America." Is it, we demand, to establish justice, that they insist upon the right, not merely to hold those who were slaves upon the cession of the territory, but to entail slavery upon their posterity, without the power or even the hope of amelioration?

Is it to ensure domestic tranquillity, that they wish to create a population which, in numbers and physical force must have greatly the preponderance, and who are not bound to the state or their masters by any sense of moral obligation, the ties of affection or the feelings of gratitude?

Upon this subject we will not direct their attention to the contemplation of scenes from which the heart recoils with horror, but we ask them to enquire of the citizens of those states where slavery exists in its mildest forms, from whence arise their most anxious thoughts and melancholy forebodings? Is it to promote the general welfare, and secure the blessings of liberty to themselves and their posterity, that they wish to perpetuate and extend a spe-

cies of servitude, that directly promotes luxury and indolence, and whose consequences are so inimical to those simple habits of life, that equality of condition, and those humble virtues without which republics cannot exist? Your committee therefore conclude, that the principles of the federal constitution do not comport with the existence of slavery, but are opposed to its exercise in whatever form or manner it can be practised.

Foreign Articles.

GREAT BRITAIN AND IRELAND.

Hardy's squadron consists of only 2 ships of the line and 2 frigates—their crews and marines are all picked men. Surveys of them were had before sailing.

A late Dublin paper says, "On Sunday night the guards at the castle were trebled, the pieces of artillery on the spot were prepared for any emergency, and a strong body of horse was ordered to patrol on the Naas road. Similar precautions were taken at the last mentioned town; the guards were there doubled, and the staff of the Kildare militia was ordered on duty. It is also asserted in letters from Queen's county, that several nightly meetings have taken place in the neighborhood of Mount Mellick of persons in arms."

There are several newspaper publications in England ardently devoted to the cause of reform—among them is the *Black Dwarf*—the *Manchester Observer*, the *Scherwin* and the *Medusa*,—some of which are said to be distributed by "cart loads among the people for the express purpose of inflaming the public mind against government." Their tone is very bold and decisive.

A *Glasgow* paper of the 13th ult. is received by the *Camillus*, at New York. A large reform meeting was held at Paisley on the 11th, at which the hustings were covered with black and the speakers dressed in mourning, expressive of their regret for the martyrs at Manchester. Several spirited resolutions against the conduct of the Manchester magistrates were adopted, and considerable warmth of feeling was manifested. Early in the evening an express arrived at Glasgow requesting military aid, and some troops were sent off who reached Paisley about 12 o'clock at night, at which hour, however, the people had nearly dispersed, and the place had become quiet.—The troops remained in the neighborhood.—Next day (Sunday) the place was again alarmed by several parties of the reformers, who patrolled the streets with their flags, broke the windows of several of the public houses, threw stones at the magistrates, and committed other outrages. About 20 of the ringleaders were arrested, and order was again restored.

Mr Hunt. We have read the details of Hunt's triumphant entry into the city of London. He was received like a conqueror. The very tops of the houses were crowded with men and women desirous of seeing him, and he was every where greeted with acclamation. The procession of horse and foot, and carriages, and of men carrying banners, was of a very great length, and the roads and streets for several miles were literally filled with people. The ministry have made this man a very great personage, and all the slanders of their printers seem only to exalt him in the opinion of his fellow citizens. Indeed, we begin to think he must be a pretty clever fellow; and, so far as his public conduct is known to us, he has evinced considerable talents, and managed his affairs with great firmness and propriety; and we judge that his proceedings have

been very decorous, from the notice taken of him in the newspapers.

On his departure from Manchester for London, Hunt left the following address, which was published in the *Manchester Observer* of the 11th Sept.

"To the brave reformers of Lancashire.

"*Scndley cottage, Sept. 10, 1819.*

"My friends and fellow countrymen—Before I leave your county, permit me to offer you my warmest thanks for your peaceable, patient, persevering, and manly conduct during the reign of terror since my arrival here. Many of you have been put to the torture of the sabre and the truncheon; your amiable wives and innocent children have been inhumanly butchered by the cowardly hands of those who ought to have been their guardians and protectors; myself and nine others have been incarcerated in solitary dungeons, and exhibited to your county under a military escort, in order to draw the public attention from the infamous, dastardly, and cowardly acts of the cold-blooded villains who instigated the ruffians to butcher peaceable and unarmed men, women and children. But in doing this they have only assisted in binding the rod which is preparing for their own backs! Mark well my resolve—I have made a solemn vow not to taste one drop of taxed beer, spirits, wine, or tea, till we have brought some of these murderers to justice. The eye of all England is fixed steadily upon the scenes now passing in your county—and there is not a man or woman in the nation who can boast one drop of English blood in their veins, but will assist either in obtaining justice or inflicting summary vengeance for the wrongs you have sustained. Constant communications upon this subject will be inserted in the people's press, the *Manchester Observer*.

"I remain, my friends and fellow countrymen, your sincere friend,

HENRY HUNT."

Stocks—Sept. 29. 3 per cent. consols 69 1/2-1 1/4.

The latest. Files of English papers to the 29th of September have been received. They are filled with severe animalversions on the *Manchester murders*, with account of riots, at Glasgow, Paisley, &c. &c. The fermentation seems general. *Hunt* was visiting the theatres and other places of public resort, and was every where received by the people with shouts of approbation of his conduct. It is said that he was about to visit Ireland, on a "reform mission."

The prince regent (or rather the ministers, for the prince cannot do or say any thing of himself), in a reply to an address of the common council of London, has assumed a tone of reproof, little calculated to soothe the public sensibility.

The mayor of Liverpool had been requested to call a public meeting to petition the prince regent to institute an efficient, strict and solemn inquiry into the proceedings at Manchester, but had refused; in consequence of which, a notice for a public meeting to be held in Clayton Square, on the 29th Sept. was published, signed by 24 of the most respectable men in Liverpool.

In some places the rioters have proceeded to great lengths; and at Glasgow made a shew of opposition to the military. The details are long and of no great interest, except to manifest a spirit of resistance not hitherto shewn. The hustings or stages, from which the speakers addressed the multitudes, were uniformly covered with black cloth, as a token of mourning for those who perished at Manchester.

City of London address to the prince regent.—At 12 o'clock on Friday the lord mayor, attended by

two sheriffs, alderman Waithman, the recorder, the common serjeant, a number of common councilmen, &c. waited on the prince regent, agreeably to the appointment made on Thursday, with the address voted by the common council, on the subject of the late transactions at Manchester.

Their reception from his royal highness was most gracious. On the right of the prince were lords Sidmouth and Castlereagh; on the left were the duke of Wellington and lord Liverpool.

The address having been read by the recorder, the prince regent made following answer:

"I receive with feelings of deep regret, this address and petition of the lord mayor, aldermen, and commons of the city of London, in common council assembled.

"At a time when ill-designed and turbulent men are actively engaged in inflaming the minds of their fellow subjects, and in endeavoring, by means the most daring and insidious, to abdicate them from their allegiance to his majesty and the established constitution of the realm, it is on the vigilance and conduct of the magistrates that the preservation of the public tranquility must, in a great degree, depend; and a firm, faithful and active discharge of their duty, cannot but give them the strongest claim to the support and approbation of their sovereign and their country.

"With the circumstances which preceded the late meeting at Manchester, you must be unacquainted; and, of those which attended it, you appear to be incorrectly informed.

"If however, the laws were really violated on that occasion, by those to whom it immediately belonged to assist in the execution of them, the tribunals of their country are open to afford redress; but to institute an extra judicial enquiry, under such circumstances as the present, would be manifestly inconsistent with the clearest principles of public justice."

The Leeds meeting consisted of 30,000 persons, who dispersed peaceably. At *Carlisle* it is said that a body of 2000 men are daily drilled in preparation for a civil war! At *London*, on a meeting of the common hall for electing a mayor, on the 29th of Sept. the lord mayor, aldermen and civil magistrates were driven from their seats—his lordship retired by a private door, and no election had taken place at our last accounts. The mayor is very unpopular, and the common hall has several times been the scene of highly acrimonious debate. The ministerial papers are making the most of a difference that is said to exist between Mr. Hunt and Dr. Watson, as though it were a mighty affair. Many meetings are convoked to censure the Manchester massacre, and contribute to the relief of the sufferers. The people speak very boldly, and publicly say that a commotion is expected, and that they are preparing for it. The marquis of Tavistock has sent 50*l.* to the treasurer appointed at the Westminster meeting for the use of the sufferers at Manchester—earl Grosvenor, also, in a letter which is published, gave the like sum; though opposed to universal suffrage, &c. he deprecates the attack upon the people, &c. The mayor of London is hoisted at whenever he appears in the streets—but alderman Waithman is received with cheers. The military are on the alert, and where arms are deposited they are collected in force, &c.

A London paper of the 17th September, says—"The revenue, we regret to state, has notwithstanding the new taxes, fallen off in the current quarter, already 800,000 pounds. The deficiency will probably exceed a million before the end of the quarter."

The most distinct account of the late proceedings in London, is thus received from New York—

By the arrival last evening of the packet ship Courier, Bowne, we have received London papers to the 29th of September, inclusive, one day later than announced in the morning papers. They are chiefly occupied with meetings in every part of the country. The Courier, of the 29th Sept. contains the proceedings down to three o'clock on that day, of a common hall, for the election of lord mayor—and a more violent and stormy meeting, we do not recollect to have ever read or heard of. Hunt and Howe were present, and were loudly cheered by the populace. There was a dreadful struggle between the parties to occupy the hustings. When the lord mayor advanced to the front to make his obeisance, it was quite impossible to describe the uproar which assailed his ears from all quarters: "Fire!" "Murder!" sounded throughout the hall. It would be impossible, says the Courier, to give an adequate description of the scene.

The front of the hustings was scaled—the seats of the lord mayor, aldermen and civic officers were usurped, and every thing like a decent respect for that corporate body abandoned: a sort of brutal triumph over that institution which had hitherto been considered sacred, prevailed, and in this state things remained when our reporter left the hall, at half after two.

The temper of the people manifested in England and in the south of Scotland, seems to render it highly probable that some change, either in the condition of the people or of the government, is nearly at hand. Employment and bread on the one side, or reformation or revolution on the other, appears now to be unavoidable.

FRANCE.

The vintage has been uncommonly abundant—and wines are said to be reduced 50 per cent. in the prices that they lately maintained.

The return of *Soult* to France has given much offence to the British printers: who think that king Louis is bound to be advised by them! *Sücher* has been appointed ambassador to the Ottoman Porte. *Savary's* wife is making great interest to obtain a reversal of the sentence of death (*par contumace*) against her husband.

It is stated that the ex-general Sarazin, (convicted of bigamy), has solicited that he may not stand in the pillory with two notorious swindlers! A very modest request!

The *Quotidienne* has a curious paragraph, stating that tri-colored waistcoats are now openly sold at Paris, and adding that this is doubtless a preparation for the adoption of the cockade.

Paris, Sept. 10. A deputation of cotton manufactures had a private audience of his majesty on Wednesday, when they presented an address expressive of their gratitude for the favorable sentiments which his majesty is known to entertain towards them, and representing how much this branch of industry stands in need of an active and constant protection. His majesty replied, that few things were nearer to his heart than the prosperity of the cotton manufacture of his kingdom, and that he would avail himself of all the power of the laws in order to give it protection.

During the short period of his power, Napoleon Bonaparte did more for France, than the Bourbons had done for centuries; and in all parts of the country, as is the custom at Trieste, the people may point to some noble improvement and say, "Behold the work of Napoleon!" His roads, canals and bridges, and sound political economy, by which

he secured to France the immense creation of property which profitable labor may furnish every country with, has given a kingdom to Louis in which there is more private comfort than any other in the world possesses. The people have enough to do, and plenty to eat and enjoy.

SPAIN.

By a late arrival from Cadiz we have a report that orders were received from the Spanish government to release the officers who had been arrested upon the representation of gen. O'Donnell, and compensation to be made them for their imprisonment: and that a military court was ordered to try gen. O'Donnell. It was supposed that he might be in hazard of even capital punishment.

Men in buckram. We have an intercepted despatch which was designed for "his excellency gen. don Pablo Morillo," shewing the force of the "naval army, designated for the kingdom of Buenos Ayres and Rio de la Plata." It shews a might, force—ou paper, and if it were worth the room we would insert it as a curiosity. But a good many of the ships that were to carry out and convoy the troops were "wanting repairs," &c. some were "expected" and others "contracted for!!!"

The yellow fever is reported to prevail in Seville, and that in consequence great alarm prevailed in Andalusia. It is also said to rage in the fleet at Cadiz.

A letter from Madrid (published in a London paper) dated Sept. 1. says—The affair of the Floridas must necessarily draw upon our cabinet the attention of all the powers who have any thing to gain or lose in the revolutions of which Spanish America is at this moment the theatre, or may so become on the slightest signal from Washington. This affair is inexplicable, even here where the principal actors of the piece perform their parts before our eyes. It is said sir H. Wellesley declares that England has nothing to do with the refusal to ratify this treaty; at least that ambassador pretty openly disavows the part which his court was supposed to have taken in this strange negotiation, which has become abortive almost as soon as it was concluded.—It is added, that the French ambassador, in the name of his most christian majesty, charitably advises the Spanish cabinet not to hazard a rupture, the consequence of which may gradually produce a general war. The opinion of all sensible men in this country is, that by refusing the ratification, and thereby furnishing a legitimate pretext for the ambitious policy of the United States, his majesty is about to sign the loss, or, in other words, the emancipation of all his colonies. We know not how far we may take for granted the words ascribed to sir H. Wellesley. As to the efforts of the prince de Montmorency-Laval, duke of St. Ferdinand, we well know that his excellency himself does not reckon himself on having the least influence; and the situation of the affairs of the French in Spain leave no doubt on this subject.

The departure of the expedition, the preparations for which have for a long time cost 4,000,000 of francs yer month, is a thing no longer to be thought of. Letters from Andalusia state, that the troops are marched off in haste towards Estremadura.—Such is the obstinate determination to commit to the waves a multitude of unfortunate beings, that it is still hoped to re-organize this armament, already perhaps afflicted with the plague, in the port of Lisbon, if the Portuguese consent! Senseless reports, which merely prove that here it is still believed that every thing ought to yield to the infallibility of absolute power.

London, Sept. 18. We understand by letters received in the city by the last mail from Valencia, that an immense number of persons (indeed, so many as 140 are mentioned) have been put to torture, in the castles and dungeons of Murviedro, with a view to extract from them confessions respecting any popular commotions that might be dreaded in the country. ["The long agony is" not over, tho' Spain "reposes in the arms of her legitimate sovereign," as Gouverneur Morris qucerly said when fool Ferdinand mounted the throne. A more particular account of the tortures noticed above is deferred for want of room, but shall appear in our next. It seems that the "holy inquisition" has regained its old diabolical ascendancy.]

ITALY.

We some time ago mentioned that a fishing for statues and other remains of antiquity, had commenced in the Tiber, at Rome. Three weeks were employed in dragging the stream, but nothing was found, and the project has been abandoned.

GERMANY.

The vile persecution of the Jews continues in Germany. Their synagogues have been attacked and destroyed in many places, with all the things used in their worship. The king of Bavaria, however, decided that the town of Wurtzburg should indemnify those who had suffered at that place. At Heidelberg the mob, in the midst of their exploits against the Jews, were attacked sword in hand by the students of the university, who made a number of prisoners and put the rest to flight. Hundreds of this oppressed people are flying to France, where, thanks to Napoleon, religion is considered as an affair between man and his CREATOR.

It is thought that the press in Germany will generally be put under very severe restrictions.

The report is reiterated, of serious differences between the courts of Petersburg, Vienna and Berlin, respecting the projects of the emperor of Russia, for uniting to the kingdom of Poland, all those portions of it which have been detached.

A general meeting of the students of the universities of Germany, &c. was contemplated to be held at Berlin. The king of Prussia has ordered that those in his dominions should not attend.

PRUSSIA.

Marshal Blucher died at Breslaw, on the 12th of September last, in the 77th year of his age. Of him and Wellington, in respect to the fight at Waterloo, it has been said, that the former "*won the battle*, and the other *taught the field*."

RUSSIA.

Odessa, on the Black sea, is declared a freeport.

The emperor has issued an edict to establish an university at St. Petersburg, on a very liberal plan. He is much engaged in extending the benefits of education throughout his dominions, and is interested to ameliorate the condition of his millions of slaves.

From the Alexandria Herald. We understand from good authority, that two Russian sloops of war, (each accompanied by a store ship) have lately sailed on different voyages of discovery.

[We have some reason to believe that our government are advised that the Russian ships of discovery have other and very different objects in view. It is under pretence of discovery, that they have constantly two or more frigates or vessels of war coasting from below the coast of California to above Columbia river.—*Dem. Press.*]

SWEDEN.

There is a report that king Bernadotte has been shot—particulars not given.

DENMARK.

Fresh disturbances have broken out in Copenhagen, where the windows of many houses, more particularly of those inhabited by Jews were broken, so that the troops in various parts of the town, were obliged to fire on the mob. Eighty persons were arrested, and some of them sentenced to rigorous punishment. Tranquility prevailed when the last accounts came away,

WEST INDIES.

The late hurricane appears to have been general, to "windward." It is said that not forty houses remained standing on the islands of Tortola and St. John's. Many lives have been lost in the different islands.

The report that the royal Spanish brig San Fernando, had captured an "insurgent" privateer, is contradicted—on the contrary, fears are entertained for another of "his majesty's" vessels, with \$200,000 in specie and a very valuable cargo on board, which should have arrived at Havana.

The pirate Mitchell—Extract of a letter, dated St. Jago de Cuba, Sept. 22.

"This celebrated character has made his appearance off our coast. About 30 days ago a small schr. was fitted out at Bama (about 40 leagues to leeward) with a crew of 41 men, for the purpose of taking the pirates off that port. A few days after sailing, they fell in with, and gave battle to, an open boat, manned with 24 men well armed—the crew of the boat, notwithstanding their inferiority in point of numbers, immediately boarded, and after fighting with desperation, for perhaps 15 minutes, found themselves in complete possession of the schr. The leader or captain of the pirates proved to be Mitchell, who was once in Newbern. The loss of the pirates was 2 killed—that of the schr 22 killed, 12 jumped overboard, (a part of whom perished in attempting to reach the shore)—the remainder, whose fate is uncertain, were left on board. This news was brought here by a number of Spaniards from Bama.

The patriot cruisers are still in the offing, but disturb nothing except bona fide Spanish vessels. They board Americans but treat them with respect. Notwithstanding they are continually in sight, and making prizes of all Spanish vessels they fall in with, and the pirates are in shore plundering all flags, without discrimination—there is now, and has been for some time past, one of his Catholic majesty's brigs, of 18 guns and 125 men, lying in port—but it is impossible to get her out to attack them.

SOUTH AMERICA.

Letters from Buenos Ayres contain an account of three dreadful earthquakes, which took place in Copiapo on the 3d, 4th, and 11th of last April—the whole city is said to be destroyed by these awful visitations. More than three thousand persons were traversing the neighboring plains, flying from the desolation which had been produced. It appears, according to all the accounts, that the inhabitants had time to save their lives, but only their lives. Copiapo is a sea port of Chili, and stands on the south side of a river of the same name, about 490 miles N. by E. of Valparaiso.

Lord Cochrane has returned with his fleet to Valparaiso. We have the official details of his cruise, &c. He attributes the defeat of his enterprize to the "passive policy of the enemy at Callao," who though provoked to combat, would not leave his defences. He does not appear to have been wanting in endeavors to accomplish his purposes. He had had some brushes with the royal forces of Peru, and made some prizes; among them a vessel with

\$100,000. He also brought with him about 100 negroes, who sought shelter under his flag.

The congress of the united provinces of the Rio de la Plata was in session, and going on smoothly. The provinces represented are as follows: Buenos Ayres, by 3 members: Cordova 3; Tucuman 3; Cuyo 2; Salta 2; Charcas 4; Cochabamba 3; Po-osi 1—in all 21. Among the things done, they have established a national bank; but it was thought the people would not be satisfied with a paper currency! Every preparation was making for the expedition threatened from Cadiz. The British are said to appear less friendly than heretofore, and their consul had been recalled.

"The representatives are paid by the various congressional districts in the different provinces, excepting the three last, which are partially under the influence of the Spaniards—In consequence of which their representatives are paid at the rate of \$125 per month out of the national treasury, but this sum is to be hereafter refunded by the provinces. Economy seems to be the order of the day; the officers of the various departments, clerks, &c. to the number of 121, have been diminished to 77, and the amount of their salaries, \$82,907 has been reduced to \$48,550, a saving of more than thirty-five thousand dollars."

From the Mercantile Advertiser. We have been favored with a Buenos Ayres Gazette of the 18th of August, brought by the Planter, captain Steward. It contains

A decree forbidding every European Spaniard to leave the country without a special license, under the penalty of the confiscation of his property.

A regulation for the encouragement of privateers. All neutral vessels engaged in the service of the government of Spain are to be considered as Spanish property. Privateers are to be allowed one half the value of Spanish vessels of war and transports captured and sunk at sea, and \$500 for every cannon so taken. Prizes brought into port shall be free of duty, and a bounty of fifty dollars for every prisoner brought in.

Another decree prohibits the exportation of salted provisions and every species of grain.

A private letter from Buenos Ayres of the 14th August, states that the recent change of supreme director has given much satisfaction; don Jose Rondeau, who now occupies that station, being a patriot and a republican, is much respected by all classes. Nothing was known of the situation of Carrera, other than a report that he had sometime since disappeared from his family and friends, who feared that he was assassinated.

We have an unpleasant report from Angostura stating a new revolution there, by which Arismendi became the head of the government; and that gen. Ordinati was moving his troops to oppose him. Bolivar, if thus superseded, must be checked in his glorious career! This will be shameful.

The British generals English and Sandusky, are said to have died of the fever at Margaritta.

☞ A private letter received at Baltimore from Angostura, announces the receipt, at that place, of despatches from Bolivar, dated at Santa Fe, and encloses his proclamation issued on the conquest of New Grenada, which shall be inserted. He found between 5 and 600,000 dollars in the royal mint, and by other captures of royal treasures, he writes that on the 15th of August he was in the possession of one million of dollars. But he appears to have suffered much; the corps of English, Irish and Scotch that were with him, had been reduced from about 400 to not more than 90 men.

But the most agreeable part of this letter is, that it casts a doubt upon the report of the revolution at Angostura, Dr. Zea being called the "vice-president," as he was when Bolivar left that place.

English Game Laws.

FROM THE EASTERN AUGUS.

The only security which the English government possesses of existing six months is derived from their game laws. These laws have, in effect, disarmed the bulk of the people. By the theory which is called the *English constitution*, the king is the sole proprietor of all the game in the kingdom, and no subject is allowed to kill any game, or keep a gun for the purpose of killing game, but such are especially permitted by law. The game laws, as they at present exist, derive their origin from William the conqueror. This monarch, not satisfied with the ample forests which he found already appropriated for the royal amusement, laid waste thirty miles of territory in the county of Hampshire, to make room for a forest—(still called the *new forest*.) The miserable inhabitants were exiled from their homes without receiving any compensation for their losses, and the country grew up into a forest.

By the statute of 22 and 23, chapter 2, which is now in force, it is enacted, that every person who has not a freehold estate of the clear yearly value of one hundred pounds, or a leasehold estate of the value of one hundred and fifty pounds, for the term of ninety-nine years or longer, except he be the oldest son of an esquire, or some person of higher degree, or the owner or keeper of a forest, park, chase or warren, stocked with deer or conies, for their necessary use, is declared to be a person *not allowed by the laws of the realm to have or keep for himself, or any other person, any guns, bows, greyhounds, setting dogs, ferrets, cony dogs, lurchers, hays, nets, low-bells, harepipes, gins, snares, and other engines for taking and killing game.*

A person, therefore, to be qualified to keep a gun, &c. must either—1st, have a freehold estate of one hundred pounds per annum; or, 2d, a leasehold estate for the term of ninety-nine years or more, of one hundred and fifty pounds; or, 3d, be the eldest son of an esquire, or some person of a higher degree, or to be the owner or keeper of a forest, chase or warren.

The object of these laws is stated by Blackstone to be—the preservation of game; the prevention of idleness in the lower classes of the community; last, though not least, for the preventing of popular insurrections and resistence to the government, by DISARMING THE BULK OF THE PEOPLE: "*hich last*," says he, with more candor than he usually exhibits in his commentaries, "*is a reason often meant than avowed by the makers of the game laws.*"

The effect of these laws must be, when enforced as they are by heavy penalties, to disarm a great majority, at least ninety-nine hundredths, of the population. If the people should be goaded on by their present sufferings to resistance, they must enter the contest under great disadvantages. The probable result will be, a suppression of the insurrection, and their fetters be more firmly riveted.

The British faction in this country begin, evidently, to feel alarmed for their dear England. A writer in the *Boston Daily Advertiser* says:

"We only fear that these disorders will lead to a material change for the worse in the system of British liberty. That it will tend to assimilate that government, in some degree, to those of the continent of Europe, and will lessen that spirit of freedom which was the praise, and glory, and happiness of the

country from which we descended, in whose welfare we are most deeply interested, and for whose success we ought forever most earnestly to pray."

The game laws are a specimen of British liberty; it is the liberty of the rich to oppress the poor. To pretend to assimilate the freedom of our country to that of England, is an insult to the common sense of the community; yet this writer has the effrontery to say,

"We hear perpetually from our prejudiced and half-instructed and informed travellers of the abuses that prevail in that country, and yet it is true that Great Britain presents a picture of domestic society, of laws, of independence, individual and social, so nearly like our own that it is impossible to discern the minute distinctions."

CHRONICLE.

Adj. & Insp. Gen's. Office, October 27, 1819.

NOTICE. Under the arrangement of the departments of state, treasury, war, and navy, published the 27th of May, 1818, "That all claimants shall have their business attended to, by transmitting their papers, without employing agents in this city," I have uniformly and promptly delivered over to the proper officer all papers which have been enclosed to me. This course I shall continue cheerfully to pursue; but it is impossible to acknowledge the receipt of all such papers; and I do not feel myself liable to account for any vouchers or communications which do not belong to the files of this office.

I give this notice, as a general answer to the many correspondents who avail themselves of my services in this way.

D. PARKER,

Adjutant and inspector general.

The general land office gives notice, for the information of those who have forwarded claims for military bounty lands, that the lands appropriated for that object in Illinois and Missouri (North) having been distributed several months ago, no more patents can be issued until the lottery for military lands in Arkansas shall be prepared, which probably will not be drawn until after the next session of congress.

October 28.

Benficence. A few of the ladies of Uniontown, Frederick county, Md. and its vicinity, have forwarded for the use of the poor, lately encamped on Hampstead hill, Baltimore, a *waggon load* of bed clothing and wearing apparel, and \$15 in cash. May no one of them ever feel the want of such benefits as they have conferred!

Cotton. The crop in South Carolina and Georgia, is said to be very abundant. Corn, also, is very plentiful in the upper country, at 25 cents per bushel. This is pleasing news.

Mediterranean squadron. Some have expressed fears for the safety of this squadron, from that under sir Thomas Hardy, who has sailed with sealed orders. We have no apprehensions for it on that account. Certainly, the United States have no wish to go to war with England; there is no present cause in dispute with that power—and England will not commence a war upon us by an act which must render her infamous in Europe, and hated by every man, woman and child in America.

Preparation! Whatever may be the intentions of Spain and her master, the British ministry, it would seem that our government will not "be caught napping." It is understood that the Peacock has gone to the Mediterranean to put our squadron on its guard—we are told of the march of troops and transport of military supplies to the south; and, as four

British naval officers have lately been appointed to serve on the lakes, com. *Rodgers* has also proceeded there, just to take a peep at the condition of our affairs at Sacket's Harbor. Still, we have no notion that Great Britain means to quarrel with us, and we do not want to quarrel with her.

Died: at Fredericktown, on the 26th ult, *Thomas Johnson*, esq. aged 88 years, first governor of the state of Maryland.

—, at Henderson, Ky. gen. *Samuel Hopkins*, who served his country in the revolutionary and in the late war. He was subsequently a member of congress, and much esteemed as a warm patriot and a worthy man.

The Erie Canal. We have a long and very pleasing account of the first experiment in navigating a part of the grand western canal in New York. The water was let into that part of it which extends from Utica to Rome, (a distance of 15 miles) on the 22d ult. and the next day was navigated by a large boat carrying about 70 persons, among them was governor Clinton, drawn by a horse, from Utica to Rome, and back again, 30 miles, in 8 hours and twenty minutes, exclusive of stoppages. A vast multitude of anxious people lined the sides of the canal—but every thing succeeded according to the most sanguine expectations, and the cheers and shouts of the people, with the ringing of bells and the discharge of artillery, with the bands of music, &c. rendered the experiment highly interesting. The transportation of merchandize on the canal has already commenced. The boat Commodore Perry arrived at Utica on the 27th with *salt*, from Salina. About 90 miles of the canal will be finished this season.

Missouri expedition The scientific corps, attached to this expedition proceeding by land to the Council Bluffs, were visited by a party of Pawnee and Otto Indians who appeared friendly, but finally plundered them of their horses, provisions and clothing, &c. except what they had on their backs, without however offering the least violence to their persons. After wandering several days, the gentlemen were fortunately met by a party of Kansas Indians who relieved their wants and escorted them to Martin's cantonment.

INDIAN CESSION. From the *Detroit Gazette* of Oct. 1. We understand that a treaty with the Chippewa Indians has been concluded by gov. Cass, for the cession to the United States of a considerable portion of this territory, including all the country upon the Sagana river and its branches. The boundary of the tract now purchased, commences at the present Indian boundary line west of this place, and runs from that point due west 60 miles, thence in a direct line west of this place, and runs from that point due west 60 miles, thence in a direct line to the head of Thunder Bay river, and down the same to the mouth, which is probably from seventy-five to one hundred miles northwest of Sagana Bay.

The treaty has been concluded upon terms equally advantageous to the United States and to the Indians, and in a manner so satisfactory to the latter that we learn their chief speaker, Nushemenondequet, was despatched by the nation to wait for gov. Cass upon this side of the Sagana river, and to inform him that they felt perfectly satisfied with the arrangement which had been made, and very thankful for the attention shewn to them.

Considerable reservations have been made for them, and the means provided for assisting them in agriculture; and there is reason to hope from the disposition they now manifest, that they will become a stationary, industrious and farming people.

This cession contains more than six millions of acres, and is very important to this territory. The gentlemen who attended the treaty from this place, concur in opinion respecting the quality and situation of the land and the natural advantages of the country. They represent the soil to be of the first quality, heavily timbered with immense forests of sugar tree and black walnut timber, and a large part of it equal, in every point of view, to the Miami and Scioto bottoms in the state of Ohio.

The Sagana is stated to be a fine large river, navigable many miles from the Sagana Bay for vessels of burthen, and far into the interior of the country for loaded boats. Five considerable streams unite at a place called La Fourche, to form this river, presenting an almost unexampled instance of a beautiful and highly fertile country, being watered in the most bountiful manner.

LEGAL JURISDICTION. *Albany, Oct. 27.* On Thursday last, the hon. supreme court, now sitting in this city, delivered an important decision of jurisdictional right in this state to take cognizance of offences arising within the limits of such places within the state, as are garrisoned by the army of the United States.

The prisoner was tried at the summer circuit in the county of Niagara, for the murder of a fellow soldier, under circumstances of peculiar atrocity. It appeared from the recapitulation of the facts, by his honor justice Platt, that it had been committed within the fortress of Niagara—and that the prisoner was convicted on full satisfactory evidence. An objection was taken by the prisoner's counsel, that the jurisdiction of this state did not extend to such places as were occupied by the U. States' troops as a garrison. His honor the chief justice delivered the opinion of the court, that the act was committed within the jurisdiction of this state, and that the prisoner was amenable to its laws.

An impressive address was then made by judge Platt to the prisoner, in a manner that reflects on him the highest honor as a man, a scholar and a Christian. The sentence was then passed, ordering the prisoner, for execution, in the county of Niagara, on Friday the 3d day of December next.

Specie The workmen employed in digging the foundation for a new building, in Baker's alley Philadelphia, found a copper chest, apparently filled with Spanish dollars. A great scramble took place; but it was afterwards found that these dollars were made of copper lightly washed with silver, exceedingly well done.

Rapid transportation—It is stated in the Augusta (Georgia) Herald of the 16th inst. that a gentleman in that city, had recently received a package of goods from New York, by the way of Savannah, in 14 hours!

Curious collection. A London paper says—A country gentleman, by enormous trouble, and at very considerable expense, collected, and is still collecting, every rope that has been used for hanging criminals throughout England, Scotland, and Ireland. The museum of this original, presents, in chronological order, a long range of ropes symmetrically hooked along the walls; an inscription is attached to each rope, containing the name of the criminal who suffered by it, a history of the crime, particulars of the trial, and specifying the time and place, even the very day and hour, of his execution.

To complete this cabinet of curiosities, in a way congenial to his own taste, the collector will probably hang himself at last, and leave his own rope to augment the whimsical biography.

NILES' WEEKLY REGISTER.

NEW SERIES. No. 11—VOL. V.] BALTIMORE, NOVEM. 13, 1819. [No. 11—Vol. XVII. WHOLE No. 427

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

☞ One of the most laborious parts of our editorial duties, is the collection of the items inserted under the head of "foreign articles." The time spent in reading and examining newspapers, to make out the few pages that we commonly give of such matters, with that appropriated to abstracting and condensing what seem to be facts useful to those interested in observing the progress and pursuits of other nations, is very considerable; and, without assuming more than is justly due to us, we venture to say that no *daily* newspaper in the United States presents so many points of interesting foreign news as we do, by inserting only the marrow and substance of things.

☞ At a meeting of manufacturers in Baltimore, held on the 5th instant, John Hillen, esq. chairman, and L. Matthews, secretary, it was resolved, That a memorial to congress, on behalf of the manufacturers of the state of Maryland be prepared, praying for other protection and encouragement to their occupations and the industry of the nation. And—Alexander McKim, Isaiah Littler and Edward Gray were appointed a committee for the purpose.

☞ The convention of Maine, having completed the work for which it was assembled, has adjourned. The constitution, as adopted, shall be speedily inserted in the REGISTER.

☞ Vice president Tompkins has published a long and able reply to the letter of the comptroller of the state of New York, respecting his accounts for monies disbursed during the late war, and the comptroller again requests a suspension of public opinion until he can prepare a replication. The great quantity of room occupied by this controversy, compels us to decline an insertion of the correspondence respecting it. But an abstract may be necessary.

Domestic manufactures. The Boston "Yankee" of the 4th instant, contains the following address to its patrons—

"The time appears to be fast approaching, when an important change must take place in the situation of the people of this country. The unexampled success of American commerce, during the late troubled state of Europe, appears to have fairly intoxicated the population of this country. Every newspaper, from New Orleans to Maine, was loud in advocating the commercial policy; but the tranquillity of Europe has wrought such a change in the commercial world, that the Americans begin to see and feel, that it is not on commerce alone they must depend. New evidence arises every day to prove that we cannot be entirely a commercial people.—The prosperity of the United States is bottomed upon the success of agriculture and manufactures, which begin to excite interest in proportion to the decline of commerce.*

Under the firm conviction, that supporting the manufacturing and agricultural interests, is the surest way of promoting the republican cause, the

*By commerce, as here used, we are to understand *foreign* trade.—REG.

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Yankee will in future hold a decided course in favor of the farmer and manufacturer. That true republicanism which has for its object the welfare of the mass of the people, who *labor* to support society, will not be departed from. It is therefore to be hoped, that those who hold the advancement of the best interests of the people at heart, will aid in the circulation of such papers as advocate their cause."

☞ It is several years since we took the ground which we are glad to find that the "Yankee" is about to assume. Most of our essays in statistics and on political economy, have pointed to profitable *labor* as the certain source of national wealth, prosperity and independence; and a thousand times, perhaps, have we invited the people to look at *home* for the means of individual comfort and general good. It is the domestic market only, that can be depended on. Foreign commerce, as its stimulant, is of great value; but *its* well-being is not within our own controul, and is always fluctuating. *Steadiness* is among the things most needful to the wholesome progress of enlightened nations. They will surely march onward to national power, if they carefully defend the national industry. Our country has all the elasticity of youth and health, and if rightfully directed, will soon arise to the manhood which all of us anticipate with much satisfaction, but which every one also desires to possess and enjoy. There is no American who does not feel willing to make a "child's bargain" with all nations—"let us alone and we will let you alone;" but all of us desire to add, *if you do not let us alone—we will make you be quiet.*

A meeting of the citizens of Harrisburg and Dauphin county, (P.) on the 20th Oct. convened "for the purpose of taking into consideration the propriety of adopting measures to promote *economy, domestic manufactures, and industry* in the country at the present distressing period," came to the resolution to "draft a respectful memorial to congress, praying the national legislature to reduce their compensation from 8 to 6 dollars per day, and the salaries of the officers of the general government and clerks of the several departments, one fourth. Also to enact laws laying heavy duties and imposts on foreign merchandize, and such as will encourage and promote domestic manufactures to the full extent of our national wants." Also to draft a memorial, in respectful terms, to the legislature of Pennsylvania, praying that a law be passed reducing their wages from four to three dollars per day, and reducing all public salaries and expenditures as much as practicable."

☞ The commissioners of the navy are advertising for twenty thousand pounds of white lead, of American manufacture. This attention to domestic industry is pleasing,

Good advice.—A sensible letter writer remarks, that "We the people, are all looking to congress to *compel* us to wear *domestic manufactures*; whereas the people have it in their power to *compel* congress to wear domestic *only*. Let the people but say the word, that they will vote for no man dressed in *foreign cloths*, and congressmen will soon appear in *home-spun*." Brewster.

Political Economics.

INTRODUCTORY.

Though so much has been said on political economy as applicable to the national prosperity, by profits derived from national industry, that we despair of offering any new thing on the subject, we have so far yielded to the wishes of many friends as to resolve upon the publication of a new series of essays, to elucidate some of the facts that belong to this deeply interesting concern—a concern that presses itself into every man's business, which invades our fire-sides and accompanies us to our bed chambers: Yet, so beset with it and feeling it in all that we have to sell or want to buy, and in whatsoever business we do that requires the aid of money or use of credit—still we shrink from the trouble of ascertaining its operation and extent. The mind, by repeated mortifications and disappointments, loses its tone; and we seem rather disposed to trust to the chapter of accidents for redress, than rouse ourselves to an exertion to put an end to our wrongs, through the means afforded; forgetting—"God helps them who help themselves," and that effects flow from causes.

It has pleased Providence to bless us with a "goodly land," and we are favored with the best system of government ever devised—but the seat of ancient Paradise is a howling waste, and Greece and Rome are tenanted by slaves.

A nation's prosperity is the happiness of the individuals composing it. The freeman cannot be a happy man, unless private industry secures private independence; and freedom itself must pass into despotism. The power of a government rests in the moral and physical force of the governed, and its wealth is constituted by personal acquisitions of property. Governments were made for the good of the people, not the people for governments; and their object fails when private happiness ceases to be respected. Emancipation from political tyranny, without the means of preserving personal liberty, is a nullity. The gift of life without the means of living, is destitute of value.

Production is the only source of national wealth that can be depended upon. The home market, even to the most commercial nations, is of many times the amount of the foreign one. The former is not easily affected, except by a self mistaken policy; but the latter is as capricious as the winds and beyond our controul. Speculation does not create value. The purchase and sale of a million's worth of goods does not improve their quality or add to their quantity, to the amount of a cent. A change of commodities between different countries, may increase their value to the extent of the labor expended in transporting them; and it is generally convenient, if not advantageous, when exchanges are made on equal terms. But poverty must be the lot of every society which barter the labor of two or more of its members for that of one person in another society.

Employment is the best preservative of health and morals. Things should be so that every person willing to labor for his living, should find labor to do, and live plentifully. If it is otherwise, an error has been committed that ought to be corrected immediately, for it is pregnant with the greatest evils. It is the chief check to population, and more powerful than the sword to destroy the liberties of nations. Nations and individuals are spendthrifts of the worst description when they purchase that which they can make from the spare labor at home. Who will give away an hundred dollars and their interest

for ever, for the sake of receiving twenty dollars of his own money as a premium? Yet thus a nation acts when, for the sake of the duties on imports, it accepts of another nation any commodity which it might supply itself with, without detriment to its other branches of industry.

Agriculture is the noblest and best occupation of man; and in a country like the United States, where land is plenty and labor scarce, it will always be pushed to the extent which a profitable market demands. Yet if none worked but those who labored in the field, society could not exist long. We should perish with cold and hunger. It is by an association of the arts that we live—and our comfort materially depend on their respective perfections. Only about one fifth of a population are fitted for agricultural labors, in general. The other four fifths, if idle, would consume the whole amount of value produced, and send the laborers supperless to bed. It is the capacity of production in the most numerous body that must be brought into action, if families and nations would prosper and be happy. If they purchase any thing which their lost time might be applied to the fabrication of,—they might as well throw its cost into the sea.

In the course of our essays, which we expect to commence in two or three weeks, we shall endeavor to point out some of the chief things that require the protection of government; just as those of a well-regulated family are managed; and shew that the well-being of a nation depends upon a fair exchange of labor for labor, substantial for substantial, and even luxuries for luxuries. The man who exchanges wheat for *ear-rings*, unless those rings are manufactured in his country, wastes to the country the whole amount of the *intrinsic* value of the wheat over that of the *ear-rings*, which latter is only that of the metal composing them. A nation cannot be independent, if it looks to another for necessities—it cannot be rich, if it exchanges necessities for luxuries. And luxuries, especially, should not be received at all, unless things of the same class are remitted in payment for them. The effect of these on population and manners, will also be considered, and illustrated by many statistical facts—as leisure is allowed to arrange them.

♣ Messrs Miller and Hutchins of Providence, R. I. propose to publish a new work to be entitled the "MANUFACTURERS JOURNAL"—semi weekly, on a sheet of demi paper, at \$3 per annum. A work of this kind is exceedingly wanted, and if it is conducted with spirit and intelligence cannot fail of becoming profitable to its editors and beneficial to their country. When the first number reaches us, it is hoped that we shall have the pleasure to notice this "Journal" again. The intended publishers seem resolved to devote their *whole* attention to the "manufacturing interests"—if so, even tho' they simply collect the numerous excellent essays which now appear in support of them—we think that they will succeed.

Christian Missionaries.

Many well disposed persons, in most parts of the Christian world, are deeply exercised to spread the light and benefit of the gospel to the uttermost parts of the earth, and give their time and money freely for the support of missions and missionaries; and, in respect to some of the latter, though we do not approve of their general manner of proceeding, it is impossible to withhold our admiration of the patience and perseverance with which they meet

and sustain themselves under the multitudinous hardships and privations to which they are liable.

Without reference to any particular case, we apprehend that the work of conversion is commonly *begun at the wrong end*. The Christian dispensation, unpolluted by religious factionists, is, of all others, infinitely best calculated for the government of man in the highest possible state of improvement that mortals can aspire to; and, as improvement advances and society becomes polished, the necessity of an obedience to its leading precepts becomes more and more manifest. Without a feeling of this necessity, the labors of the missionaries among the heathen must continue to be profitless. Missions also, are too often bottomed on political views—and the converts, instead of being “set free” by the gospel, are made slaves by the sword—in other cases, they are vexed by parties, and rather become worshippers of men than of God.

If it is desired that a people shall be converted to Christianity, let them be prepared by teaching them the use of the plough and the hammer—by instructing them in the agricultural and mechanic arts, through the agency of discreet workmen, who may practically shew them the benefits of industry, temperance, forbearance, &c. with a reverence for the Giver of all good gifts, as the base of our religion. If these proffered advantages are embraced, the teachers of righteousness may expect to reap a bountiful harvest. But it ought to be considered as high treason against common sense, for any one to deal in the dogmas of his sect—to extol one mode of worship and condemn another. The really pious man may do all that is appointed to him, without introducing the confusion of faction into the mind of his disciple, where all should be harmony. A *partizan* preacher should not be suffered any more to go out as a missionary to teach the gospel to the heathen, than a tyger be sent to them as emblematic of mercy.

These brief remarks occurred by seeing in the newspapers an account of a “converted Jew,” who is travelling through the Russian dominions, under the patronage of the emperor, to distribute Hebrew Testaments and religious tracts among the Jewish people, who are very numerous in some parts of the empire; and we have thought that, even as to the Jews themselves, the emperor would be most apt to succeed in his design of making Christians of them, if he were first to convert them into agriculturalists and mechanics, which it is within his power to do. This people have been so much and so long persecuted by pretended Christians, that they do not seem to have a *home* any where; and hence, in our opinion, it is, that so few of them are manual laborers. They are nearly all of them money-changers or dealers—and multitudes of them are continually travelling from place to place, buying and selling. Perhaps, not one in a hundred of them produces any thing useful by his own hands. We never knew of one that regularly worked for his living. It is not in the nature of man to act thus, nor is it the condition on which society exists—but this sect has been thrown into the *unproductive* class by oppression; and their religion itself is doubly endeared to them by the persecutions which they suffer on account of it. If they were treated like *men*—no one can hesitate to believe that in a few generations they would assimilate with, and, for all useful purposes become *national* in the countries wherein they might be located; and fall into the common manners and habits of the society in which they resided.

Had Napoleon Bonaparte restrained himself so as to have kept possession of the throne of France,

no event, perhaps, would have marked his reign more strongly than a regeneration of the Jews—i. e. from wandering tribes of pedlars, or stationary money-changers and traffickers, he would have converted them into *Frenchmen*—by the powerful liberality which he extended towards them.

Banks and Banking.

AN EXCELLENT CONCLUSION! A certain person having managed the affairs of the REGISTER very badly, if not dishonestly, at a place in a neighboring state, it became necessary to obtain the aid of some gentleman to settle and adjust the business. A confidential friend was written to who recommended a new agent by saying, “*you may expect better things of him than of Mr. —; because he is a WORKING MAN.*”

The Ontario branch bank at Utica, N. Y. is said to pay the notes of that institution, indiscriminately, on demand.

Rightful enquiries. A writer in the Georgia Journal, published at Milledgeville says—“I walked into the executive office the other day when the governor was absent, and enquired for Mr. secretary Wood. He is gone to survey a district. Is he not secretary? Yes. Where is Mr. secretary Cary? He is in the bank. What has he do there? He is cashier. Do you know where Mr. Clayton, the treasurer, is? He is in the bank too; he is president. Do you know where Mr. Bozeman, the comptroller, is? Yes. He is at the Darien bank, of which he is president. Thinks-I-to-myself here is economy for a state to practise. Upon enquiry I found that the last legislature had raised the salary of all these offices 50 per cent. and when that law takes effect, if the present incumbents remain in office, their salaries will stand thus:

Mr. Clayton, treasurer,	Dollars,	1800
President of state bank,		1000
Total,		2800
Mr. Cary, executive secretary,		1000
Cashier of state bank,		1500
Engraving clerk, about		200
		2700
Mr. Bozeman, comptroller,		1200
President Darien bank,		1000
Commissioner of the land lottery, at six dollars per day,		2200
More than		2200

Now as any of these salaries are singly ample compensation for the time and abilities they require, will not the state be better served—and will not many deserving citizens stand a better chance for promotion, if the next legislature were to pass a law that no person should hold two appointments, where the salary of either was as much as \$1000, and would not such a law be more consonant with the spirit of our government—one of its objects, if I mistake not, being to prevent monopolies and the accumulation of profitable offices in the persons of individuals or individual families.

A payer of taxes.

It would be well, if the states were to pass laws to disqualify officers, agents, directors or servants of banks from holding offices—legislative, judiciary or executive. The principle of banking, as now exerted, is too generally at war with the interests of the people.—*EN. REG.*

Treasury reports. We see by the report of a committee of the stockholders of the bank of the United States, that a dividend is not to be expected

from that institution, until January 1821. So there will be a loss of dividend for two years. In the mean time, "we the people of the United States" shall be compelled to *pay* to the bank *seven hundred thousand* dollars, on account of our stock held as capital in that institution!!! A very pretty *gentle* sum to be taken out of our pockets for the benefit of sharpers,* in these hard times. We had better *sell out* at once, and be done with the unconstitutional thing.

But we are curious to know how the secretary of the treasury will state this matter, in his reports for the present and ensuing year? Will he tell us *PLAINLY*, that we are not only disappointed as to the *profits* expected, but have absolutely lost the said *seven hundred thousand dollars* by the bank of U. S.

"*Ohio controversy.*" The report that a writ had been issued, on behalf of the bank of the United States against the *auditor*, is incorrect. Some writers in the Ohio papers condemn Messrs. Harper and Orr, (the agents of the auditor), for suffering themselves to be imprisoned within the state for executing the state laws. It is probable that they will be released by *h. bras corpus*.

A good prospect a-head!—It appears from a writer in the Alexandria Gazette, that "with the ensuing year, and almost at the same moment, the charters of the different banking institutions (of Alexandria) six in number, are about to expire." "Abortive attempts were made by all those banks, at the last session of congress, to obtain renewals of their several charters." The applications will be repeated at the ensuing session. Will congress accede to them? It is presumed not. The writer gives it as his opinion that "a very sufficient capital might be directed and dispensed by *one* or at most *two* banks."

Yes, and if congress permits the establishment of more than two, they will greatly disappoint the expectations of the people. The people of Maryland will soon have an opportunity to lessen the number of their banks, and that they will cause it to be done, cannot be doubted. Many persons now maintained in or by these institutions, will have an opportunity to do something for the good of the country, oppressed by multitudes of *unproductive*, scheming people. In other states also, a wonderful *clearing out* will be made. Then good banks will do a good business, and their stock will pass into the hands of those who have the ability to lend money; instead of being held, as three fourths of it now is, by those who want to borrow.

Rag against rag!—"From an Indiana paper we learn that some person named *Bigelow*, who has a bank at Jeffersonville, pays his notes with those of some other man called *Piatt*. What does *Piatt* do with his notes?"—*Niles' Register*.

We answer Mr. Niles' question by informing him that *Piatt* redeems his notes with notes of the Vin-

cennes steam mill, (sawing mill,)—and if Mr Niles wishes to know with what lumber the mill redeems its notes, we answer *Piatt's*—This is not intended as a joke, but is the literal statement of two travellers late from the Atlantic states, by the way of Cincinnati and Vincennes. They called at *Piatt's* with a bundle of his notes; his cashier, (for the countersigners of his trash are called cashiers,) his cashier would (could) give nothing but Vincennes steam mill; Vincennes was on the way to St. Louis; the travellers made the *swap*: at Vincennes the cashier at the scantling machine bank would (could) give them nothing but *Piatt's*, one hundred and twenty miles in the rear. The travellers came on, leaving their maledictions with the "*consumed*."

St. Louis Enquirer.

Literary Studies of Youth.

TO THE GENERAL ASSEMBLY OF VIRGINIA.

Gentlemen—The writer who, through this REGISTER, a few months since, addressed you on the subject of establishing an University in your state on an improved plan, again solicits your attention to this question—Whether the study of the dead languages be necessary or proper to qualify our youth for the several leading professions of law, physic and divinity, or for any of the important pursuits of life?

This question is thought to be of the greatest moment in its bearing on the liberties of this country. If our seminaries of the highest order send forth polluted streams, the whole body politic must soon contract moral and political diseases the most fatal. The writer asserts that the Latin and Greek authors, (the Testament excepted) have a demoralizing and antichristian tendency, extremely dangerous to the youthful mind. He further asserts, that the professions of law, physic and divinity, neither of them requires the knowledge of those Latin, Greek or Hebrew books usually read in preparing for college, or to obtain the degrees of bachelors or masters of arts. He further asserts, that the most important and thorough knowledge of the professions may, with great facility, be acquired from dictionaries and authors in our own language. He further asserts, that if the portion of time now devoted to preparation for the learned professions were exclusively bestowed on the best authors in our own language, our professional men would be much better qualified for their pursuits than they now are—and would possess a much greater fund of genuine and excellent learning than they now possess. If any foreign languages are studied, let them be the living languages, which will open to us the improvements of the present and the immediately preceding ages, and an intercourse with living men of other countries.

The writer believes that the proposed change in the plan of classical education would be attended by many important advantages—1. Our youth, in their pursuit of an education, would be relieved of much perplexing, discouraging and unprofitable study, and therefore would be saved from strong temptation to idleness and dissipation, by which the hopes of many fond parents are disappointed.

2. Their studies being in a language easily understood, and in their nature obviously interesting and important, our youth would take pleasure in their pursuit, be animated to great diligence and zeal, and consequently restrained from idleness and dissipation.

3. The attention of scholars being devoted exclusively to English studies, less than half the time now required for a college education would render

*This is a hard word but it is a *just* one, and we will not erase it, as we had the pen ready to do, when it flowed full from the heart. Some of those who caused this picking of the pockets of the people, yet live in palaces, and drink wine that costs us and all the honest stockholders, 8 or 10 dollars per gallon; and they have services of plate worth 10 or 12,000 dollars, and cut-glass on their side-boards, &c. for which the widow and the orphan must pay 4 or 5,000. I do not like to pay my part of these things—"that's flat." It is right, however, to remark that all these speculations have not happened in much-abused Baltimore. We could locate "sharpers" in several other places, and mention their names, if it were necessary. *Verbum sat.*

them better acquainted with those studies than are students educated on the present plan, and consequently better fitted for professions; for it is an important fact, that the youth in our colleges, after puzzling a number of years through heathen authors in the dead languages, devote nearly all the last two years in college to English studies. This proves that the English studies are deemed of the highest importance. Could not these studies be understood without the aid of the dead languages?

4. If the same portion of time now required for a college education were devoted exclusively to studies in our own language, our scholars' minds would be more abundantly stored with such learning as might render them worthy imitators of our Rushes, Rittenhouses, Franklins, Washingtons, and a host of others who, without the aid of the dead languages, have adorned the most useful and eminent walks of life.

5. If the dead languages were excluded, and the English studies only were required to obtain the degrees conferred, that is, the same English studies now required at our colleges,—at least half the time and money now expended might be saved.

6. If any other than English studies be considered necessary for a classical education, the French, German and Spanish would be preferable to the dead languages. These being living languages, they would be acquired with much more ease, and in greater accuracy, than the dead languages. The living languages would open to us vast treasures of the most useful knowledge. The study of these would be like conversing with living men, instead of pondering over the scattered ashes of the dead, who have slept for hundreds of generations.

7. The exclusion of the dead languages from our colleges would tend to exclude from our laws, constitutions, legal forms, and from all books and forms in our language, those obscure terms and phrases which artful and corrupt men use as instruments of villainy; which the ignorant physician substitutes for genuine professional skill; which the divine employs to impose on the credulity of those who have long been led to believe that the words of eternal life cannot be understood unless explained by men versed in Greek and Latin; which the lawyer employs to warp clients and jurors to his purposes.

Time would fail in enumerating the evils avoided, and the advantages gained, by reforming the plan of classical education in this country in the manner respectfully recommended, to the general assembly of Virginia, by a FRIEND TO LITERATURE.

P. S.—My opponent, in your New Series, No. 5, Vol. V. tells us that the writings of many popular authors, whose names he mentions, are not more pure than the writings of our heathenish Greek and Roman classics. If this be true, the more shame for them. But none of these are read as classics in our colleges. Nor are they needful as classics—Nor ought they ever to be used as such, unless their "fictitious, frivolous and obscene" matter be first expunged. Serving out to our youth, before they are able to distinguish between good and evil, the gilded pills of moral poison as the most salutary food, is a practice base and cruel in the extreme.

Bank of the United States.

At an adjourned meeting of the stockholders of the bank of the United States, held at Washington Hall, on Friday the 5th instant, Mr. Drayton, from the general committee of the stockholders of the bank of the United States, appointed on the 1st instant, delivered in the following report:

The committee appointed on the 1st of this month, by the stockholders of the bank of the United States, convened in Philadelphia, respectfully report,

That after a laborious examination of documents, a patient attention to oral testimony connected with them, and a careful perusal of written statements submitted to the committee by the president of the bank of the United States, and some of the directors of one of its branches, which were elucidated where necessary by verbal explanations, it appears, that the losses ascertained to have accrued, and which may be expected to accrue at the branch in Baltimore, amount to about \$1,700,000, estimating the stock of the bank pledged in Baltimore to the parent-bank, for the security of loans upon it, at \$100 a share. In forming their judgment of the losses at Baltimore, little more was necessary for the committee than to collate the facts and to digest the evidence which was before them. After having done so, the conclusion above stated almost necessarily followed.

The consideration of the other losses which have been sustained by the institution, was involved in greater difficulty, nor can the committee decide upon them with the same degree of certainty, as upon those which occurred at Baltimore. From many of the western branches no returns of losses have been received by the parent bank since June last. Subsequently to that period, therefore, no information respecting the losses in those branches can be obtained through official channels; but, when the committee reflect that many of the debts due to the institution were contracted when lands and produce, which have since depreciated, were at enormous prices, and when speculation was very prevalent—and when they combine these facts with the commercial and monied situation of the country, and give the weight which is due to respectable communications made by gentlemen examined before them, they are convinced, that the ascertained and probable losses in the parent bank, in the western, and in all the other branches, will fall little, if at all, short of \$1,300,000. These two sums make together \$3,000,000, from which deducting \$1,100,000, the balance of profit and loss of the bank to the 1st of July, 1819, the remainder will be \$1,900,000, which ought, therefore, to be regarded as constituting a deduction, *pro tanto*, from the capital in July last, when it was expected that a dividend would have been made among the stockholders. The profit of the bank since that period, added to what, upon a fair and moderate calculation, will be received by July next, will then be more than sufficient to replace its losses. Under these circumstances, the committee would not think themselves justified in holding out to the stockholders the prospect of a dividend before the first of January, 1821. Without some extraordinary calamity, the condition of the institution must then be such as to render its stock valuable and productive.

As the enormous loss at Baltimore has created great excitements and apprehension in the public mind, the committee deem it proper to state the causes which contributed largely towards swelling its amount: These causes are—

1st. The practice of permitting certain individuals to over-draw.

2d. Discounts granted by officers of that branch without the knowledge of the board of directors.

3d. Granting discounts upon stock for amounts above its par value, without authority.

The committee beg leave to express their opinion, that the interests of the institution would be

materially promoted, by alterations being made in the charter, so that every share should be entitled to one vote in elections for directors: that no votes should be receivable, at any meeting of the stockholders, upon stock pledged to the bank as a security for monies loaned, and by striking out of the 2d and 12th fundamental articles of the 11th section of the charter, the words and no director shall hold his office more than three years out of four in succession, by which the same directors might be re-eligible for a longer period of time than is allowed by the existing law, although the same proportion of them would be obliged to vacate their seats. The committee likewise recommend, that the president and directors of the institution should be requested to apply to congress to enact a law subjecting to criminal punishment any cashier or subordinate officer guilty of fraudulent conduct towards the bank or any of its branches, at the same time not interfering with the civil remedies against such delinquents.

The committee crave leave further to submit, that, in their judgment, no cashier or subordinate officer of the bank or its branches ought to be permitted to speculate upon or to traffic in the stock; and as a great many persons have placed their all in the bank of the United States, the committee suggest, that the directors, upon the application of such individuals, should grant to them loans upon their shares, to such an amount and upon such conditions as the directors may think proper; and after mature deliberation, the committee strongly recommend as expedient, that the number of the offices of discount and deposit established in the several sections of the union, should be gradually diminished, whenever it shall be deemed beneficial to the institution; and the committee are of opinion, that it would be important to the community, that a larger number of five and ten dollar bills should be in circulation, more especially as, by a late rule of the board of directors, notes of the smaller denomination are to be every where receivable, from whatever offices they may be issued; and as the multifarious duties of the president and cashier render it almost impossible for them to execute such bills in sufficient quantities to meet the public exigencies, it would therefore be desirable that the assistant cashier, together with some confidential person appointed by the board, should be authorised by law to sign such notes.

The committee, in common with the rest of their fellow-citizens, have heard the current reports and opinions which have so generally been expressed respecting the cost of the building intended for the bank of the United States in Philadelphia, and the injuries which have been sustained by the state of local banks from oppressive demands for specie made upon them by the parent bank and its offices. As these reports and opinions are founded in error, the committee, from official documents, will represent the facts as they really are.

The land upon which the bank is to be erected, was purchased in May, 1818, for \$157,000. According to the contracts which have been entered into, and the estimate of a committee appointed by the board of directors, the building when finished, will not cost more than \$125,000.

In the city of Philadelphia, the local banks have received from the parent bank \$1,150,972 in specie more than they have paid to it. No documents which the committee have been possessed of, exhibit the specie transactions between the bank of the United States and its offices and the local banks generally, but the books of the institution in this

city shew, that the balances due to it by the local banks amount to \$2,502,658, and that the balances due by it to the local banks amount to \$941,000, manifesting that the large sum of \$1,561,658 remains due to the institution, for which it is entitled to demand specie, but which it has forborne to do, although, in order to support the credit of the country, it has purchased great quantities of specie at a considerable expense.

As the degree of confidence which will be and which ought to be, annexed to the prospects held out in this report relative to the future productiveness of the stock, must not a little depend upon the opinions entertained of the administration of the parent bank, the committee deem it a part of their duty, to give publicity to their sentiments upon this subject. From the time of their appointment, until this report was prepared, although they sat usually from an early hour in the morning until a late hour in the evening, with the exception of intervals allowed for dinner; although during their sittings, they were very often obliged to apply to the president of the bank for information, they always found him present, always ready at all hours, to comply with their wishes, and always, when applied to, communicating to them statements, facts and explanations, with unreserved openness, with honorable candor and with luminous perspicuity. From his conduct upon this occasion, from the means of judging of his official conduct afforded in the course of this investigation, as well as from opportunities of knowing him, enjoyed by many of the members of the committee, both in his private life and in his public career, they speak from the conviction of truth, when they declare, that they believe in their consciences, that his administration has been, and will continue to be, firm and temperate, wise and conciliating; that he will pursue the sound interests of the institution, divested of fear, favor or affection, and if ever he be chargeable with any errors of the head, from which the most enlightened possess no charter of exemption, that he will never be guilty of any errors of the heart.

WM. DRAYTON, Chairman.

Bank of the United States, }
Philadelphia, 5th November, 1819. }

Ordered, That the said report be accepted by this meeting.

Ordered, That the same be made public under the directions of the secretary.

[Extract from the minutes.]

J. GALES, Jun. Sec'y.

The committee who made the preceding report consisted of the following gentlemen:

South Carolina—Mr. Drayton and Mr. Kolne.

Georgia—Mr. Cuming.

Virginia—Mr. Fitzhugh and Mr. Haxhall.

Ohio—Mr. Worthington.

Maryland—Mr. Brown.

Delaware—Mr. Riddle.

Pennsylvania—Mr. Butler, Mr. Tilghman, Mr. Wil-
ling, Mr. Beck, and Mr. Girard.

New York—Mr. Bayard, Mr. Gracie, and Mr. Bronson.

Connecticut—Mr. Parsons.

Rhode Island—Mr. D'Wolf.

Massachusetts—Mr. Crowninshield, Mr. Sears and Mr. Pickham.

After the preceding report was adopted, the chairman adjourned the meeting, *sine die*.

A FEW REMARKS BY THE EDITOR OF THE REGISTER.

The aggregate losses are estimated at the round sum of three millions, and Baltimore, alone, is credit-

ed with having caused no less than 1,700,000 dollars to the mighty amount. We did not expect that our city was entitled to so great pre-eminence, by the acts of eight or ten persons!

By the general statement, dated Dec. 1, 1818—(see vol. XVI. page 20)—the amount of stock notes discounted was 8,934,712 94—viz: at Philadelphia 4,736,450; at Baltimore 2,340,235 68; at Charleston 857,184; Washington 293,370; Richmond 201,091 13, &c. Shewing more than one half of the whole amount at Philadelphia, and a little more than one fourth at Baltimore. Now, according to the number of shares taken at the respective places, if Philadelphia was entitled to nearly five millions in such accommodations, on 88,520 shares, Baltimore might have claimed nearly $2\frac{1}{2}$ millions on her 40,141 shares: so that in the matter of *jobbing*, the speculators in either place have equal merit! And by the statement of discounts in Nov. 1818—(see vol. XV. page 457), it appears that the "excess of particular loans above the par value of the stock pledged," only amounted to 450,273 23; viz: at Philadelphia 173,450, and at Baltimore 276,823 23. This proves to us—admitting all the statements to be true—that the loss at Baltimore chiefly accrued from *over-drawings* and *private discounts*, and not by reason of discounts on stock.

We have not any desire to impeach the report of the committee, but the amount of loss is less, by a *million or two* than we expected it was, and as we believe that it will yet be found out to be, before the *present* business of the bank and its branches is settled. We are certain, that the affairs of the bank are in a *bad way* at several places, and that many losses must accrue which are not now brought into the *estimate*. We do not speak thus in enmity to the bank; but to save the people from becoming victims to some new speculations in its stock.—There is no reason to believe that the president countenances any thing of this sort—but we confidently repeat what we have frequently asserted, that much of the power of the institution is in the hands of *jobbers* and *sharers*, whose intrigues are daily to be discovered in the public prints.

The committee *calculated* the matter very closely, when they said that a dividend might be expected in January 1821. There was a positive loss of capital, amounting to 1,900,000 dollars to make up. By the general statement above referred to, it appears that *all* the discounts made by the bank amounted to 36 millions, and most persons thought that it was enormous, considering that more than 15 millions of the capital was inefficient as to the payment of debts on demand. But if the same business is done for the year which will end on the 1st July, 1820, the amount derivable from discounts or interests received on the 36 millions, will be 1,960,000 dollars—60,000 more than the deficit; to meet all the expenses of the bank, as well for the payment of officers and clerks, as for the bonus, buildings, &c. &c. &c. A dividend *may* be made in January 1821; but it cannot be a large one, supposing that not one additional loss is incurred. To make up the losses by the misconduct of this bank, the United States, instead of making a profit on its dividends, will actually have to *pay seven hundred thousand dollars* interest on the 5 per cent. stock, created to form a part of its capital! But the people, who were so alarmed at the compensation of the members of congress, and too often "gape at gnats when swallowing camels," will be insensible to it—yet a direct tax to take so much out of their pockets, might almost cause a political revolution! Such is the difference between *tweedle dum* and

tweedle dee." Such are the effects of the false principle on which indirect taxation is founded.

While some are extolling the report in the most flattering terms, perhaps to raise the price of the stock, others are deprecating it as uncandid, &c. Mr. Gales, editor of the National Intelligencer, and late secretary to the stockholders, says "upon a moderate estimate, comparing it with the products of other investments of money, the intrinsic value of the stock is now estimated at 110"—others believe it is not worth more than 75. We think that the latter is *nearer* the intrinsic value than the former. Some shares are said to have been sold at 55—but we know the *meaning* of such things when we see them in the newspapers: another account says that it was offered at 94, without sale. We apprehend that no person will really invest money in it at more than 85. The acts of speculators, who buy without money and deal in it as men play at cards, afford no criterion for persons of solid capital, desiring to receive an interest on their investments. But we are weary of the subject: "Blessed are they who expect nothing"—and they will be blessed who do not expect a dividend in January 1821, as customary—though it is highly probable that the bank will regain its capital, and divide 6 per cent. per annum—after a while.

It must be recollected, that by the hypothecated stock being abandoned to the bank by the late makers of stock-notes, the bank loses the interest on the amount, so long as no dividend is declared, just as other stockholders do. The aggregate of the stock so situated is, probably, not less than three, and possibly, more than five millions.

Public Lands.

We have been favored with the following interesting article, descriptive and explanatory of the admirable system adopted by the government for the national domain, by the scientific and intelligent gentleman who fills the office of commissioner of the public lands—to whose pen our readers and the public are frequently indebted for useful observations on the climate, soil, and products of our country, and on subject, connected with literature and science.—*Nat. Int.*

A citizen of high respectability has communicated to me the following:

"There are some points relative to the *public land* system which, I believe, are not so clearly and generally understood as they should be. Permit me to ask—

"1st. *What is the section of a township?*—Though this is familiar to persons in the land office, I doubt whether it is distinctly understood by many who read newspapers.

"2d. *What is the encouragement for schools and colleges in the locations of public lands?*—The answer would, I trust, be honorable to the government of the country, and very interesting to the friends of science.

"3d. *What is the tenure of lands granted by the United States?*—The *allodial* character of the landholder accords with the *free spirit* of our political institutions; but perhaps this distinguishing advantage has not attracted the attention of many in the community. It is an advantage which might be more highly estimated, if viewed in contrast with the abuses and oppressions suffered by *European tenantry*. The land system of the United States is a novelty of such practical excellence that I wish it to be made known distinctly, and in such a manner as to leave no question of fact."

Answer to the first question.

SECTION.

A township is a square, whose sides (limited by true meridians and parallels to the equator) are each six miles in length—its area, therefore, is thirty six square miles, or sections, each of which contains six hundred and forty acres and each township contains twenty-three thousand and forty acres. A quarter section is a square whose sides (bounded by meridians and parallels) are each half a mile, and contains one hundred and sixty acres. The corners of each section and quarter section are distinctly marked by the deputy surveyors of the United States. The sections are numbered from one to thirty six, beginning at the north-east corner of the township; and progressing, from right to left, to the north-west corner, and returning, from left to right, to east boundary of the township, thus:—

North.

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

East.

South.

The act of February 22, 1817, authorises the sale in half quarter sections (or eighty acres) of the sections 2, 5, 20, 23, 30, 33, of each township. The subdivision of the quarter section is made by true meridians.

The rectangular division of a country is preferable to any other. The cardinal points are known and familiar, even to children. It requires some geometrical skill to ascertain the area of a field whose sides form acute angles with the meridian; but the content of a rectangular field is very easily determined; and, indeed, geometers know that the ultimate result of all calculations of areas is obtained by a reduction to the square or rectangle.

For civil purposes, the rectangular division is pre-eminently useful. The boundaries of counties—of judicial or military districts—of districts for schools—for religious societies—and for every object of a social character, are easily and accurately determinable in a country thus divided. If the county court house, the school house, the meeting house, &c. &c. are to be central, their place is precisely known. A single glance at the map of Ohio, Indiana, &c. in comparison with the maps of Kentucky, Tennessee, Georgia, or of any of the older states, with respect to county limits, will prove the superior excellence of the rectangular system. It is like the work of an elegant penman compared with the perambles of a school-boy.

Answer to the second question.

COLLEGES, SCHOOLS, &c.

The section No. 16, in every township, is, by law reserved for the support of schools; the south east

corner of that section is the centre of each township. More than sixty million acres of lands of the United States have already been surveyed—one thirty-sixth part of sixty million is one million six hundred and sixty six thousand six hundred and sixty six acres, reserved by law for the support of schools. The section No. 16 will, unquestionably, be reserved in all future surveys and disposals of the public lands.

For colleges and seminaries of a higher grade than schools, thirteen whole townships have already been granted by the United States to Michigan, Ohio, Indiana, &c. Thirteen townships are equal to two hundred and ninety nine thousand five hundred and twenty acres. The same legislative liberality will doubtless be extended to all future states and territories. By section 2 of the act of April 18, 1806, relative to Tennessee, two hundred thousand acres are in that state, reserved for colleges and academies. The reservations then, for schools, colleges, &c. are—

Section No. 16,	Acres.
Thirteen townships,	1,666,666
Reservation in Tennessee,	299,520
	200,000

2,166,186

viz: two million one hundred and sixty six thousand, one hundred and eighty six acres; which at the minimum price of two dollars an acre, is equal to (\$4, 332, 372) four million three hundred and thirty two thousand three hundred and seventy two dollars. The value of lands in any country is proportioned to the increase of its population and its well directed industry. The area of the whole state of Ohio, (the eldest of the states north of the Ohio,) is about twenty five million acres; of this about fourteen million four hundred thousand acres have been surveyed anterior to the late cessions, which embrace the north west part of that state.—A thirty-sixth part of 14,400,000, is four hundred thousand. The free spirit of Ohio, united with signal industry and economy, has already given, to section 16, in the surveyed portion of the state a value of at least four dollars an acre, or of sixteen hundred thousand dollars. There are instances in which section 16 in Ohio, is worth from twenty to thirty dollars an acre.

The value of this privileged and consecrated section, is every day and every hour increasing, in every new state and territory; it advances, *pau passant*, with their agriculture, manufactures, civilization, and general improvement. It grows with their growth, and strengthens with their strength.

This liberality is indeed honorable to the legislation of a free people, who know that to continue free, they must be instructed, informed and enlightened: it is a magnificent and truly parental liberality, to which no parallel can be found in the history of human society.

Answer to the third question.

TENURE.

The tenure is strictly *allodial*; not *stipendiary*, not *feudal*. My limits forbid a full description of the vast difference between *allodial* and *feudal* tenure. An accurate and elegant, though condensed view of the subject, may be found in Blackstone, book II. chap. 4, 5, &c. Pontoppidon, the historian of Norway, observes, that, "in the northern languages, O D H signifies *proprietas*, (property,) and A L L *totum*, (the whole.)" The *allodh* is therefore the whole, entire, and absolute property. It is not necessary to say that *allodial* tenure is, in its nature and tendency, and effects, eminently beneficial to the individual, to his family, and to his country. The fruit of his labor is his own, he can alienate his *allodium*—he can divide it, or exchange it, or mar-

gage it, or devise it by his last will. A *feudatory* has no such power over his *feud*. The *allodial* tenant is not subject to the vexations of *aids*, *reliefs*, *primer seins*, *wardship*, *maritagium*, *fines for alienation*, nor *escheat*; in a word, he is not

"A wretched robber, with his feudal codes."

After a struggle for centuries, *England* has been able, in a great measure, to free herself from the shackles of the *feudal* system, imposed on her by William of Normandy, the Conqueror. The late revolutions and agitations of *France*, have produced the same happy effect in that fine country; and the other nations of Europe will certainly follow the example now before them.

The *patent* given by the United States is of a higher character than a *deed* of conveyance from one citizen to another. A *deed* is of no validity unless attended with the legal formalities. A *patent* passes directly from the *sovereign* power.

That the United States have a fairer and better *moral right* to their territory than any other nation now existing, may be easily proved.

Every landholder in the United States should be instructed duly to estimate the highly precious qualities of his *tenure*; for, the true meaning of the term *DESOLATION* is, to have no place of abode or rest.

J. MEIGS.

General Land Office, Nov. 4, 1819.

Foreign Articles.

GREAT BRITAIN AND IRELAND.

Henry Goulburn, in reply to a letter addressed to him from individuals in Glasgow, states that his majesty's government no longer gives encouragement to persons proceeding as settlers to the British colonies in North America.

Kean, the tragedian, was about to sail for the United States—two fellows, named Carter and Donnelly, were to box each other for a bet of 500 guineas. Two persons, Saddler and Livingston, ascended in a balloon at Liverpool on the 30th October, and landed at Stockton upon Tees. Its diameter was 32 feet, its height 38; it contained 31,839 cubic feet of gas, and its power of ascension was equal to 1100 lbs.

Mr. Rothschild, the great London banker, indignant at the persecution of his Jewish brethren in Germany, has refused to take bills upon any of the cities in which they are persecuted; and great embarrassments to trade have been experienced in consequence of his determination. It is intimated that the persecution of the Jews is in part owing to the fact, that Mr. Rothschild and his brethren were among the chief of those who furnished the "legitimizes," with money to forge claims for the people of Europe.

The British papers say, that the United States are making mighty preparations for a war with Spain!

Hardy's squadron. A London paper says—It is believed, in certain quarters, that the object of the expedition of admiral sir T. Hardy is to preserve an undisturbed communication to British trading vessels with all the ports of South America, and to prevent the blockade of such ports (to which otherwise British merchantmen would have access) either by Spanish or independent flags. If this opinion be founded on fact, it may lead to important consequences, as the measures said to be taken by lord Cochrane would bring him within the rule of the gallant admiral's instructions.

Meetings of the reformists. We notice the holding of meetings of the people—at which large mul-

titudes assembled—at Southwark, Ward of Bishop's Gate, York, Leeds, Birmingham, Farrington, Liverpool, Leigh, Canterbury, Kilmarnock, &c. &c. At some of which very distinguished persons took an active part. In addition to the purposes for which such meetings were heretofore held, the Manchester murders, and the refusal to subject the matter to legal enquiry, are reprobated in the strongest language possible. We cannot detail all their proceedings; those which are particularly mentioned may serve as samples for the rest.

The earl of Sefton presided at the Liverpool meeting, and many of the chief persons of the place were active on the occasion.

At Paisley, one of the speakers said—"a pious person had sent his Reynolds, his Richmonds and Olivers through the country to ensnare the people. Sooner shall the wave which washes our western shore cease to roll, than we shall forego the right of assembling together."

Another—"that the British sword had been drawn upon starving men and fainting women; has it desolated every country in the world to be at last drawn among ourselves? and will you allow your brethren to be murdered without raising your voice against the infernal deed? No; sooner shall the lake wash Benlomond from its eternal site, than the sons of Caledonia be silent."

A third, referring to the Manchester murders, thus expressed himself—"Oh, I would rather see the bodies of all my kindred whiten in the sun, and have my carcass thrown to the dogs, than such an event should pass without a proper inquiry, and punishment upon the guilty perpetrators. This is no time to pause between two opinions, when murder and massacre stalk in open day; when the inhuman magistrates have received the thanks of those who gorge their bloated carcasses with the blood of the artisan."

General meetings of all the reformers in England and Scotland, are proposed to be held in one day! If this is carried into effect, we may "look out for squalls." Much money was collected at those which had been held, for the sufferers at Manchester. Many of the flags are inscribed with "*Hunt, the champion of England*." Speaking of the great meeting that was held at Birmingham (where many of the people, all those who addressed them, the hustings, flags, &c. were dressed in black) the London Courier observes—"There was one circumstance, however, attending this meeting, which is of a more serious character. We have seen it stated in a jacobinical paper, (and we hold such authority to be good upon such a subject), that the persons who attended went armed, in consequence of a rumor that the magistrates were resolved to prevent the meeting. This is a fearful novelty in the composition of political assemblies in this country—and it seems to be confirmed by the following paragraph in a Litchfield paper.

"At this part of sir Charles' speech, the discharge of ordnance was heard at a distance, and the roll of a drum, which agitated the outskirts of the people—supposed to be a trick of the authorities—a very foolish one—to try the nerves of the meeting. The great body stood firm on the defensive—and we are told that not less than from six to eight thousand, had armed themselves with pistols, in case they should be attacked."

The "female reformers" are busy. Addresses from them are read at some of the meetings of the people. They exhort the men to perseverance and courage.

The idea of prosecuting sir Francis Burdett for a

* Columbiad, Book IX.

libel, seems to have been abandoned, very wisely. But the *little* venders of pamphlets are severely persecuted.

White hats are generally worn by the reformers. Since the Manchester murders they are commonly trimmed with black. One manufacturer in Lancashire received orders for 300 dozen in one week! Nightly trainings of the people are much spoken of!

The laboring people of the neighborhood of Manchester were thus described by one of the speakers at a meeting held for the ward of Bishop's Gate—"They were in the most wretched situation. After diligent enquiry, he found that a man with his wife, after working 15 or 16 hours a day, could not obtain more than from 7s to 9s a week. So great was the misery, that the poor had recourse to the dunghills of the rich to pick up some offal for their famishing children. There were vast numbers in Manchester and its neighborhood, who, for many months, never tasted animal food, nor any species of nourishment of which animal food formed an ingredient!!!"

After two petitions had been adopted—one reflecting upon the prince regent for his answer to the London address, and praying that he would dismiss his ministers, and the other to the city authorities, praying that relief might be granted to the sufferers at Manchester, sir William Rawlings, one of the deputies, publicly declared that he approved of the whole proceedings.

Hunt. A London paper of Sept. 25th, speaking of the opera, says—Last Thursday night, after the second act of *Up All Night*, Mr. Hunt appeared in one of the dress boxes accompanied by two ladies. He was immediately recognised, and most loudly cheered from all parts of the house, which he returned by rising and bowing respectfully to the audience.

Sherwin's Political Register contains a long letter from *R. Carlisle* to lord Sidmouth, demanding vengeance on the "magisterial and yeomanry assassins of Manchester, on the 16th of August 1819." It relates many horrid particulars of that affair, and claims redress after the manner of a man determined to have it—"peaceably if he can, violently if he must."

Earl Grosvenor's letter—To the treasurers appointed in Westminster, to receive subscriptions for the relief of the sufferers at Manchester, &c. &c.

Gentlemen—I have desired 50*l.* to be placed to your account. Though no friend to universal suffrage and annual parliaments, I trust I am so to the principles of universal justice and humanity, which involve the great maxim of equal law to the rich and the poor, to the magistrate who executes, and the people who obey it.

Whatever may have been the objects of those who called, or those who composed the meeting at Manchester, which was attended with such disastrous consequences, the laws of the land ought, unquestionably, on that melancholy occasion, to have been respected; whether they were so, or not, is the question now eagerly asked by all impartial persons. Any attempt to stifle a full investigation of the circumstances connected with this question, should it for a moment be contemplated by those in power, would not only be highly injurious to the cause of truth and the best interests of the country, but extremely galling to the friends and relatives of those who have fallen, or who have been sufferers in these unfortunate transactions; and also to the feelings of an anxious, loyal, open-hearted, but now, alas, much distressed and deeply agitated (not to say irritated) nation.

The ministers, with breathless haste, prejudge this important question, while they are authoritatively calling on others not to do so; they say, indeed, that if the laws are violated, the tribunals of the country are open to afford redress—may their portals be widely opened on this memorable occasion.

I am, gentlemen, your most obedient servant,
(Signed) GROSVENOR.

Eaton, Sept. 23, 1819.

LONDON. The lord mayor refused to call a common hall to take into consideration the proceedings at Manchester. He was waited upon with a remonstrance on his obstinacy, and spoken to very plainly; still he persisted in his subserviency to the ministry—yet the common hall was held, and the following address voted to the prince regent, which was duly presented. The answer thereto was inserted in our last—see page 158.

"To his royal highness the prince of Wales, regent of the united kingdom of Great Britain and Ireland.

"The humble address and petition of the lord mayor, aldermen and commons of the city of London, in common council assembled.

"May it please your royal highness,

"We, his majesty's most dutiful and loyal subjects, the lord mayor, aldermen, and commons of the city of London, in common council assembled, humbly approach your royal highness with feelings of the most serious alarm and regret, at the extraordinary and calamitous proceedings which have taken place at Manchester.

We humbly represent to your royal highness, that under the free principles of the British constitution, it is the undoubted right of Englishmen to assemble together for the purpose of deliberating upon public grievances, as well as on the legal and constitutional means of obtaining redress.

That, for the exercise of this right, a meeting was held at Manchester, on the 16th August last, and without entering into the policy or prudence of convening such assembly, it appears to us from the information which has transpired, that the said meeting was legally assembled, that its proceedings were conducted in an orderly and peaceful manner, and that the people composing it were, therefore, acting under the sanction of the laws, and entitled to the protection of the magistrates.

We have, nevertheless, learnt, with grief and astonishment, that while the meeting was so assembled, and when no act of riot or tumult had taken place, the magistrates issued their warrants for the apprehension of certain persons then present; for the execution of which, although no resistance was made on the part of the people, or those against whom the warrants were issued, they immediately resorted to the aid of the military; the Manchester yeomanry cavalry, suddenly rushing forward, opened a passage through the multitude, furiously attacking, by force of arms, peaceable and unoffending citizens, whereby great numbers of men, women and children, and even peace-officers, were indiscriminately and wantonly rode over, and many inhumanly sabred and killed.

We feel ourselves called upon to express to your royal highness our strongest indignation at these unprovoked and intemperate proceedings, which we cannot but view as highly disgraceful to the character of Englishmen, and a daring violation of the British constitution.

That, from your royal highness' known and declared attachment to the constitution and the laws, we feel the most decided conviction, that your royal

highness never could have been induced to express your approval of the conduct of the abettors and perpetrators of these atrocities, had not your royal confidence been abused by interested and misrepresented statements of these illegal and fatal transactions.

We humbly submit to your royal highness, that, at a time when the great body of his majesty's subjects are suffering under the severest privations, however erroneous may be their ideas to the means of redress, a kind and conciliating attention to their complaints is equally called for by policy and justice; and, that depriving them of the means of expressing their grievances by cruelty and despotism, destroy public confidence in the pure and equal administration of justice, excite disaffection, and lead to acts of open violence or secret revenge.

We therefore humbly pray, that in order to avert these calamities, to maintain the authority of the law, and to protect the lives and liberties of the subject, your royal highness will be graciously pleased to institute an immediate and effectual enquiry into the outrages that have been committed, and cause the guilty perpetrators thereof, to be brought to signal and condign punishment.

Signed by order of the court.

HENRY WOODTHORPE.

Signs of the times. A London paper observes that as a lady, whose residence is in one of the most public streets, was playing *God save the king* for her own amusement, a pistol was fired under her window, as a caution; and that at Manchester at the theatre, when the same tune was called for, a most violent opposition was made to it, and the performers were assailed with all sorts of missiles, and with loud cries of "Hunt and Liberty!"

A letter from Liverpool says that Mr. Stratford Canning, cousin of George Canning (of *joking-memories*), is appointed minister to the United States. Mr. S. C. may be a clever fellow—but the day of *jokes* between the United States and Great Britain has gone by.

The game laws. In addition to the article published in the last REGISTER, the following may serve to shew the spirit of these slave-making laws:—"By a return of the number of persons in custody in England and Wales, for offences against the game-laws, distinguishing those who have been committed under the act 57 Geo. III. cap. 90, and specifying their respective sentences under the same, it appears, that on the 29th of January last, in 189 of the prisons, there was no person in custody for any offence against the game laws; and that in 75 prisons there were then in custody for such offences 522; of whom 66 had been committed under the act 57 Geo. III. cap. 99: of the latter number the sentence of transportation for seven years was passed upon 9; of imprisonment for 2 years on 20; for 18 months on 6; for 1 year on 22; for 6 months on 12; for 3 months on 5; for 2 months on 2; and there remain for trial 28.

Polite amusement! Two fools boxed at Ilford, for the diversion of the gentlemen of the neighborhood—at the *seventieth* round, after they had knocked each other down nearly 50 times, one of them fell dead.

Later. A London paper of October 2, has been received at New York. Its contents are unimportant. The election of a mayor of London was then going on with great warmth and activity. 3 per cent. consols were at 69 5-8.

An order in council has been published by which British vessels are authorized to import into the island of Mauritius and its dependencies, any articles

of the growth, product or manufacture of a foreign country, except articles composed of cotton, iron, steel or wool. But we in the United States except nothing, and say "let trade regulate itself."

From the London Magazine, September 1819. By a paper laid on the table of the house of commons, it appears that the total value of corn, grain, meal and flour, imported into Great Britain, in

1812	12,903,753.	10. 6	\$12,905,571,,23
1813	4,973,608.	2. 2	22,113,813,,81
1814	4,478,131.	4. 0	19,902,805,,33
1815	2,192,685.	1. 0	9,745,266,,89
1816	2,543,891.	0. 6	10,417,293,,44
1817	7,763,895.	0. 4	34,506,200,,08
1818	13,271,629.	3. 0	58,985,018,,44
1st. quar. 1819	2,249,164.	6. 0	9,996,285,,78

Total \$178,572,254,,98

Being an annual average importation of bread stuffs into Great Britain, of *twenty-five millions of dollars!* !

FRANCE.

To the disappointment of—all the world, the dutchess of Berri has been delivered of a girl. So, another effort must be made to beget a "legitimate" baby to reign over millions of Frenchmen.

A Paris paper says—An extensive plan of defence is talked of, which is said to have been adopted by government:—All the vulnerable points of the kingdom, from the Pyrenees to the Rhine, and the Belgian frontier line, are to be fortified. Bayonne, will be erected into a fortress of the first rank. Grenoble will be a depot for arms, and will be encompassed by fortifications. Belfort, which has only a citadel of little importance, will be converted into a fortress capable of containing a strong garrison. The fortifications of Lauterburg, on the lines of Alsace, will be extended. Bitche, which has hitherto only had a fortified castle, will be made a considerable fortress. Several small fortified towns of the third class will be put in a respectable state of defence.

Duelling is said to be carried to a most ridiculous extent at Paris. In consequence of a publication in a journal called "La Renommée, five of the editors of the paper met five of the garde du corps of the duke of Grammont; but being interrupted, it was so managed that only one pair had a battle, in which both were wounded with swords.

France now allows the export of grain, which was a short time suspended. The general election is over. The liberales are triumphant by vast majorities.

From the American. A valued correspondent has handed us for publication the following translation of an important law recently made in France, relative to the abolition of the *droits d'aubaine*.*

"Art. 1—The 726th and 912th articles of the civil code are hereby abrogated and repealed: in consequence of which, foreigners will have the right to inherit, and to dispose of by will, and to receive in the same manner as Frenchmen, in the whole extent of the kingdom.

Art. 2—In case of the distribution of the same inheritance among co-heirs, in part foreigners and part French, the last shall obtain of the effects in France, a portion equal to the value of effects in the foreign country where they may be excluded from inheriting, in virtue of the local laws."

NAPOLEON BONAPARTE

Is reported to be in good health, and said to be en-

*By which the effects of foreigners dying in France, are inherited by the crown.

gaged in writing the memoirs of his own times. Provisions are very dear at St. Helena. The prices are given as follows:—Beef, mutton and veal, 1s. 5d. a pound; a turkey, 30s.; a goose, 21s.; a grown fowl, 10s.; a chicken, 5s.; a duck, 19s.; eggs might be had so low as 5s. per dozen; cabbages (in abundance we must suppose) at 9d. a piece, and turnips and carrots 1s. per dozen. Bread was 5d. per pound, and very good cape Madeira wine, 7s. 6d. per gallon.

SPAIN.

It is confidently stated, that O'Donnel, who was to have commanded the expedition from Cadiz, as well as Sarsfield, who was second in command, is in disgrace. O'Donnel is reported to be banished to Pampeluna. They write from Madrid that Portugal will give up Monte Video to Spain for \$1,400,000—but Ferdinand cannot "compass the cash."

The yellow fever, it is said, has extended to the shipping at Cadiz, and so caused a further delay of the sailing of the grand expedition for South America! In the Isle of Leon, there died of the fever, from the 1st to the 20th of August, 105 persons; 392 recovered, and 723 were newly attacked. From the 20th, the day on which all communications with the island were subjected to regulations, to the 31st, 345 persons died, 663 recovered, and the number of the sick had amounted to 1,313.

THE HOLY INQUISITION.—*A tale of horror.* Extract of a letter, dated Valencia, Sept. 2.—"Words are wanted to express my feelings and to convey to you an idea of the scenes of horror and blood represented in this ill-fated city. My pen drops from my hand when I attempt to describe to you the horrid and excruciating torments which Elio has imposed on 119 persons, of all classes, ages, sexes and conditions, he himself being present at the greatest part of these abominable punishments, in order that by his captious and designing questions he might be able to rend from them the secret of a revolution, which he imagined would take place in Valencia. Some have had their arms and legs dislocated with irons of a new invention; others have been pressed down with heavy weights, placed on the breasts and belly; *others have had their nails plucked out one by one, in order to prolong their sufferings.* Even a lady, lately delivered of twins, has been separated from her family, and cast into one of the most dismal dungeons of the holy office, merely because information against her was lodged by a wicked character, who declared that she knew a great deal respecting the imaginary revolution. *Elio himself went to the inquisition to interrogate her, and she was exposed to a species of disgraceful torture, of which even in this country we have no example. She was bound by the legs and arms with harsh ropes on an uneven cradle of iron, and finding that in this painful attitude she did not give declarations conformably to the questions proposed to her, scalding water was poured on her naked limbs.* This unfortunate heroine expired amidst the greatest agonies, frantic with the remembrance of her twin children, only twenty-one days old. She was one of the heroines of Valencia against the attack of marshal Moncey.—This scene has been divulged by one of the dependants on the inquisition, less inhuman than the rest, and the weeping relatives of this female martyr to freedom are now deploring her loss. So great has been the horror and fury excited in the whole of Valencia by this painful affair, that it is visible on the countenance of every individual."

Such are among the results of the revolution in Spain, about which all the "legitimists" in Europe and the United States run wild with ecstasy.

It is thus that a gallant people are rewarded for the rivers of their blood which they shed under the false idea that they were serving their country: but they fought for a scoundrel king, a pack of hellish priests, and were mere tools of England, in her wars against France.

When we see that such things are suffered, it requires no little exertion of the mind to reconcile itself to a full believe that the affairs of men are governed by a holy Providence; and we are tempted almost to ask, why are not such wretches blasted with fire from heaven? But, we see "as through a glass, dimly"—and endeavor to submit to such dispensations, in the confidence that they are wise; and probably constitute a part of the means by which the reign and rule of the accursed is to be concluded. O, that the Almighty may take compassion on suffering humanity,—strike the oppressor low, and set the oppressed free—that all nations, reposing under the kind influence of liberal governments, may join in one grand hymn of thanksgiving and praise to the Author of all good, for the emancipation of their minds and persons from the bondage of kings and their priests: the last and most viperous race in every country, with which He has been pleased to afflict mankind!

PORTUGAL.

We have a letter so long that it would about fill a page of the REGISTER, from the commander of the Portuguese merchant ship, Princeza de Brazil, to the secretary of marine, detailing his fight with a cruiser supposed to be the Pucyredon, under the flag of Artigas. The Portuguese appear to have fought well—they say that the battle lasted more than four hours, and that they beat off the privateer: which however made prize of and carried off the ship Hercules which was in company with the Princeza de Brazil, and probably took part in the combat: but the account is as ample as an admiral would give one of a battle of squadrons.

ITALY.

By a decree of the king, the ports of Sicily are opened to a free trade in corn.

GERMANY.

Sandt, the murderer of Kotzebue, though he has frequently attempted to take his own life—once by swallowing broken glass, was still living.

Louisberg, Aug. 31. The commissioners of the king and of the states of Wirtemberg have now concluded their deliberations on the plan of a constitution. The articles of this act, which are proposed in common, are already distributed among the members of the assembly of the states in proportion as the sheets are printed, in order to facilitate the emissions when the sittings are commenced. The following are the principal points of this act.—

1. All the integral parts of the kingdom are to form an inseparable whole, and are united under one and the same constitution.

2. In case that in future the kingdom should receive a new accession of territory, whether by exchange, sale, or any other manner, this accession shall be admitted to a joint participation of the constitution. That is to be regarded as an accession of territory which the king acquires not only from his own person, but by the employment of the resources of the state, or with an express stipulation that such territory are an integral part of the kingdom.

3. The kingdom of Wirtemberg makes a part of the Germanic confederation, consequently all the organic resolutions of the diet which concern the constitutional relations of Germany, or the general

relations of the Burgher German States, have also the force of laws for Wirtemberg, when they have been published by the king. However, the constitutional co-operation of the states is necessary in the means of carrying into execution the obligations founded on their resolutions.—*German paper, Sept. 10.*

German papers of the 24th of September state, that the plan of a constitution for the kingdom of Wirtemberg, as digested by the royal commissioners and those of the states, has been adopted by the assembly, with some trivial modifications.

The same papers also mention, that the queen of Sweden, under her *incognito* title of countess Gothland, and her sister the ex-queen of Spain, under the title of countess de Survilleirs, have arrived at Brussels. The latter is to embark at Antwerp in the spring to join her husband, Joseph Bonaparte, in the United States of America.

A great mercantile house has failed at Dantzic, after putting into circulation bills of large sums with forged signatures. *This is banking!*

It is stated that at the great fair held as usual at Frankfort in Sept. last, the British woolen goods could not maintain a competition, in cheapness, with those of France or the Netherlands, and some Swiss and Saxon houses rivalled the English in cottons. An immense quantity of goods was offered for sale.—One Swiss manufacturer brought to the fair 375 cwt. of stuffs and cottons. Frankfort has become a great market for wool.

Vienna, Aug. 13. His majesty, the emperor of Austria, has appointed the baron I. Von Weiss, as ambassador in North America; and has granted him 10,000 ducats to defray the expenses of his journey and 6,000 for his salary. His excellency has faithfully fulfilled the places of commissary of the treasury and contractor general for the army, during the space of eighteen years. The baron will have the charge of the maritime affairs between the United States of America and Italy. His excellency took the oath, yesterday, of fidelity, previous to his embarkation, which will immediately take place, with his family and suite at Trieste, for Philadelphia.

Hamburg, Sept. 23.—It is affirmed that his majesty the king of Saxony has granted to all persons of the Jewish religion, residing in his dominions, the right of citizens; though very urgent remonstrances against it have been presented by the shopkeepers. It is thought many rich Jewish families will be thus induced to settle in Saxony.

POLAND.

The emperor of Russia, it is said, was to be crowned king of Poland in the month of October. The ceremony was to take place in the city of Warsaw.

EAST INDIES.

A London paper observes—The proceedings of sir Stamford Raffles, in forming an establishment at Singapore, appear to be of great importance, both in a commercial and political point of view. This station, which is secured to us by treaty with the sultan of Johore, gives us the entire command of the straits of Malacca, and secures a free and uninterrupted communication with China. In short, it is to be observed that this spot cannot fail to become, in a very few years, one of the most flourishing and interesting settlements ever formed by Europeans among the eastern islands.

A letter, from a respectable house in Liverpool, says—"We have just received 1,750 bags of *East India wheat*." We have been prepared to expect that grain, of every kind, would be sent to England from the Grecian and Italian states; but this is the

first occurrence of any shipment of grain to Europe from the East Indies.

A Paris paper says—From recent intelligence, which has reached us from the island of Sumatra, we learn that the trade with India is wholly in the hands of the English. The Anglo-Americans alone rival them on some points. All other nations find there more danger than profit.

CAPE OF GOOD HOPE.

Letters from Cork state, that, in the course of a few days, upwards of 1000 persons will sail from thence to settle at the Cape of Good Hope. Mr. Palmer is appointed by government as the magistrate for the district in which those persons are to reside.

WEST INDIES.

A Brussels paper mentions that the British continued to press the king of Spain for a cession of the island of Cuba.

In consequence of the late hurricane many of the West India islands have been opened for the reception of bread stuffs and lumber from the United States, for the space of six months.

The following account of this hurricane on the 21st of Sept. may serve to convey some further idea of the horrors of the scene—

"At Tortola, off forty sets of sugar works, not more than six are standing, and four fifths of the town laid in ruins. The hon. Andrew Anderson, and the hon. A. C. Hill, members of the council, are among the killed; also, Mrs. Hitherington, the lady of the president of the Island. The president himself was taken out of the ruins of his house, on the morning of the 22d, in such a mutilated state, that life is despaired of. Twelve other white inhabitants were killed, and total number of lives lost, 148.

At St. Martins, the town of Simpson's Bay, was inundated by the swell of the sea, the houses carried away and many lives lost. The town at Marigot suffered partially the same fate and the houses near the sea washed away. The town of Phillipsburg on the Great Bay side of the island, was torn to pieces by the sea and wind; very few buildings left standing, and they very much shattered. The two churches, hospital, governor Cantzlaar's house, general D'Arnauld's, Mr. Cuthbert's, Mr. Vankhyus's store, the tavern, Mrs. Gambe's, Mr. Atwell's Mr. J. S. Richardson's and other equally strong buildings, some of which were of stone, are demolished, and the sea forced a passage through the town, so that it now communicates with the salt pond, which was back of the town. The walls of the English church were of the best workmanship and two feet thick, yet the building is levelled to its foundation. Mrs. Bartow was crushed in the ruins of her house, and about 200 lives lost on the island.

In the country every estate has suffered heavily, and some of the finest completely destroyed, particularly at Cal de Sac and Little Bay. The growing crop entirely destroyed, and but three boiling houses left standing on the island."

Arms of Hayti.—A Philadelphia paper observes—We have received a number of the *Gazette Royal of Hayti*, of the 1st of October, printed at the royal printing office, *Sans Souci*; the printing is excellent and the style is truly royal; the head of the paper is ornamented with the arms of Hayti—The arms are blazoned on a shield *luna*, studded with eighteen stars; in the centre a *phenix* crowned, and with a scroll containing the motto *je rendis de mes cendres*—the escutcheon is crested by an imperial crown, and therefrom descends a collar of alternate medallions and knots, to which is suspended a star of six double points, the whole supported by two lions

ermined, rampant quadrant, and crowned; the scroll inscribed with the following motto, "*Dieu, ma cause et mon apee.*"

NOVA SCOTIA.

An American vessel was recently condemned at Halifax from drying fish in Liscome's Harbor.

CANADA.

It appears, that most persons proceeding from Canada for England, go by way of New-York; such are the superior facilities by this route for travelling. It appears that, from the opening of the Exchange books at Quebec last spring to the 1st inst. there had arrived at Quebec 12,536 passengers, (principally settlers) in 621 vessels. The amount of tonnage is 14,803.

SOUTH AMERICA.

A letter from St. Thomas' says—"Bolivar is positively at St. Fe. New Grenada has furnished him with 8,000 men and about two millions of dollars. Samanos, the viceroy, saved himself with but few attendants, and by way of Monpos reached Carthagena. We hear by way of Porto Cavallo that he has been defeated by col. Aguanegui, and has escaped to Maracaibo; he is encamped at Tericabo, twelve miles distant from Carthagena, on an elevated spot, but it is confidently asserted that he has only 100 men with him. The Spanish general Latone is with 250 men (all that remains of the five regiments of Navarre) at Cucuta, but general Morillo stands at St. Carlos, about 180 miles to the westward of Caraccas, with about 6,000 men, and appears to have the intention to fortify a hill near Valencia and await reinforcements, which it is said he has been promised from Spain."

Another account from Angostura informs us that—Bulletin No. 4, had been received from Bolivar, printed at "Santa Fe de Bagota, capital of Candinamarca, from the press of the state, year 1819." It is dated the 8th of August, and gives a detail of a battle between Bolivar's troops and the Spanish army of New Grenada, of between two and three thousand men—sixteen hundred of the royalists laid down their arms and surrendered prisoners of war, including gen. Barreyro, commander in chief of the Spanish forces, and his second in command col. Ximenes.

Bolivar is said to have found *three millions* of dollars in the mint and treasury of Santa Fe. The taking of Santa Fe cuts off Morillo's resources and supplies.

A patriot vessel is cruising in the West Indies for the express purpose of catching a Spanish ship from the coast of Africa with 1000 slaves—and we hope may catch her.

Admiral Cochrane was immediately to renew the blockade of Callao, in the hope of falling in with the Spanish squadron that lately sailed from Cadiz, for Peru. We ardently wish that he may meet with Ferdinand's ships.

A great quantity of military stores were found by the patriots at Santa Fe, with a mighty accumulation of treasure, a part of which was on its way to Angostura. The patriot army is computed at 12,000 men, and 1000 of D'Evereaux's expedition are said to have reached Margaritta.

There have been some changes in the administration at Angostura—but no *revolution*. The congress rules; and all seems to be going on well.

Buenos Ayres. It appears, says the Federal Republican, by the papers we have received from that city, that unusual exertions are making to prepare for defence against the meditated attack of the Spaniards. The director Rondeau announces, that means are taking to remove the families and valua-

bles from the city to the interior on the shortest warning, so as to present to the enemy a mass of bare walls defended by men who have every thing to lose. It appears that their civic troops are exercised every evening, and that all domestics from ten years old and upwards, without exempting those of monasteries and convents, are forced into battalions and companies. They have a force of fifteen thousand men equal to regular troops in the city alone, and when we consider that they have the advantage of fortifications, and the assistance of a still greater force from the country, it is evident that the resistance will be desperate. They have little to fear from invasion, but the dangers with which they believe themselves threatened, has no doubt an admirable effect in calling forth the spirit of the country, and in producing harmony and union. The ex-director, Pueyrredon acts as a colonel in the lines, and is actively engaged in military preparations.

English Court of Chancery.

In the course of a speech lately delivered before the house of commons, on the subject of parliamentary reform, Sir FRANCES BURDETT advanced the following language:

"From our common law courts the maxims of common law those grand principles of justice, are almost driven out by specific acts of parliament. But the great, the master grievance is the dreadful delay and expense of our courts of equity. The present system in the court of chancery, is the source of more human suffering than any system that was ever established in a civilized country. This is, in a great measure, attributable to the scandalous and negligent manner in which the legislature has, at various periods, imposed taxes on that which ought, above all other things, to be exempt from them. Sir, it would be better to tax bread than to tax proceedings in a court of justice. For what purpose are our taxes paid? For the maintenance of the constitution—of that constitution which declares that justice shall be cheap; that it shall be equally accessible to the rich and to the poor. But by the present system of taxation, the poor man is utterly precluded from obtaining, or even seeking to obtain, justice. A striking instance of the magnitude of this evil, has, I understand, been lately exhibited in a suit now pending in the court of chancery. In the prosecution of this suit it became necessary for one of the parties to obtain what was called an office copy of certain accounts. What does the house think was the sum required for such a copy? 1000*l.*? more. 5000*l.*? still more. 10,000*l.*?—20,000*l.* Not to keep the house longer in suspense. 29,000*l.* was the sum required for this office copy of accounts."

Bishop Warburton's opinion of the court of chancery.—"As unfit as I am for heaven, I had rather hear the last trumpet than a citation from the court of chancery. If ever you have seen Michael Angelo's last judgment, you have there in the figure of the Devil who is pulling and tugging at a poor sinner, the true representation of a chancery lawyer, who has caught hold of you purse"—*London paper.*

CHRONICLE.

New Jersey. The following preamble and resolution, introduced by Mr. Kinsey, has been passed unanimously by the legislature of New Jersey—

"Whereas the true policy of all governments has

been, whilst attending to the general welfare, and guarding with jealous care individual interests, thus calling into active operation the energy and industrious enterprise of its citizens, to increase the mass of public wealth. Believing this to be the indispensable duty of all legislative bodies, and having exhibited before us the ruinous state of the manufacturers of iron, cotton, wool and many others, on which the wealth and prosperity of this state in a great measure depend. Therefore,

Resolved. That the senators and representatives of this state in congress, be requested to use their best endeavors to procure such modifications and alterations of the tariff, as may give essential encouragement to the employment of capital and industry in home manufactures.

Massachusetts.—The following gentlemen are elected members of congress from this state—*Benj. Adams, Samuel C. Allen, Walter Folger, jun. Timothy Fuller, John Holmes, Enoch Lincoln, Jonathan Mason, Marcus Morton, Jeremiah Nelson, Zabdiel Sampson, Henry Shaw, Nathaniel Silsbee, Ezekiel Whisman*—old members; *Joshua Cushman vice Rice; Edward Dowse, vice Ruggles; Mark L. Hill, vice Orr; James Kendall, vice Strong; Martin Kinsley, vice Wilson; Samuel Lathrop, vice Mills; James Parker, vice Gage*—13 rep. 6 fed. the latter in *italic*. Mr. Mason considered neutral.

Of the late election the National Intelligencer observes.—Of the forty-one members from the five New England states, but six are federal. A few years since thirty-eight of them were federal.

Of the 186 members from the twenty-two states, about twenty-five are federal, and five or six neutral. Of the whole number, 100 were members of the last congress, and 86 are new members; the latter including several members of congresses preceding the last.

Tennessee.—Mr. John H. Eaton has been elected a senator of the United States for the residue of Mr. Campbell's time. The votes in the legislature were for Mr. Eaton 31; for Mr. P. M. Humphreys, 29.

A *New York paper* states that there were in that port, on Saturday, Oct. 30th, 111 ships, 76 brigs, 155 schooners, 390 sloops, and a number of steam vessels—making a total of 740 vessels, exclusive of a great number of fishing vessels, ferry-boats, &c. and exclusive also, of the large number of vessels lying at Brooklyn.

Military tour. The quarter master general (col. Jessup) has returned to Washington, from a tour of near 4,000 miles, undertaken with the view personally to superintend and facilitate the transport of the important military expedition in the west.

Yellow fever. At the date of our last accounts, it was yet very unhealthy at Baton Rouge, Gibson Port, Natchez, New Orleans and Mobile, &c.

William Cobbet sailed from New York for England about two weeks ago.

Water. It is mentioned in an Ohio paper that water has been sold in some parts of Kentucky "for several dollars a barrel."—But we suppose this is only a metaphor to shew the dryness of the season.

Public lands.—The last sale public lands at Huntsville brought \$193,997 for 39,825 acres. This was principally mountain land, on the ridge dividing the waters of the Tennessee from those of Mobile bay. The Alabama Republican properly congratulates itself that the "spirit of high bidding for public lands has very considerably abated."

The mail.—A letter from Cincinnati dated October 26, says, "an attempt was made to rob the mail, about 70 miles from this place—The mail carrier was stabbed four times, and is not expected to re-

cover from his wounds; but the mail has arrived safely at this place."

Internal Navigation.—A merchant at Orleans (otherwise called Hamilton Village) in the county of *Cattaraugus*, New York, advertises for ten or twelve boatmen, to go in boats from that place to New Orleans!

TEXAS.—*From the Rhine, Sept. 1.*—The Spanish ambassador in North America, Don Onis, concluded before his departure, a provisional convention with a society of Swiss and Germans in North America, receiving the sanction of his catholic majesty, in order to found in the province of Texas, a colony of Swiss and German peasants and mechanics. The members of this society have written to Baron Gubern for his opinion.

Potatoes. It is believed that 150,000 bushels of potatoes will be exported in the present year from New-Hampshire.

Thanksgivings. Thursday the 2d December, has been set apart by the governors of New-Hampshire and Connecticut, and Wednesday the 22d by the gov. of New York, as days of thanksgiving and prayer. Thursday the 25th inst. is appointed by the gov. of Ohio.

Ontario. There are many steam boats on this lake, passing from place to place. Who would have thought it, a few years ago?

Died, recently, at his seat in Georgia, William Rabun, esq. governor of that state.

Also at Portsmouth, Virginia, Colonel *Bernard Magnien*, a soldier of the revolution. The deceased was a native of France, and one of those who came to our assistance with the illustrious *Fayette*. He was a thorough patriot and an honest man. In the late war, he commanded a regiment of militia, in service for the defence of Norfolk and the parts adjacent, though about 62 years of age. He was a member of the masonic fraternity, and regarded as "a greater light."

Fire. A considerable part of Wilmington, N. C. has been consumed by fire.

Com. Perry. The legislature of Rhode Island resolved unanimously, to wear crape for 30 days, in testimony of the respect of his native state for our country's loss sustained in the death of com. Perry; and by a resolve, they also request Benjamin Hazard, esq. to compose and publish a biography of the hero of Erie.

Gen. Harrison has been elected a member of the senate of Ohio.

Coins. Foreign gold coins ceased to be a legal tender on the 1st inst. French crowns, and five franc pieces will continue to be so, at 110 and 93 1-3 cents, if of due weight, until the 29th of April next.

The Manhattan steam vessel, which lately sailed from New York for New Orleans and Louisville, deeply laden with goods and some passengers, is of 450 tons burthen.

Missouri. Petitions are circulating in this territory to change the proposed limits of Missouri. It now has a front of about 200 miles on the Mississippi, about one half above and the other below the Missouri. The project is to make the latter river one of the boundaries of the new state when received into the union, and give it greater depth westwardly.

Chimnies. A machine for cleaning chimnies, without the aid of "climbing boys," is in general and successful operation at New York, and humanity rejoices at it.

Com. Shaw is appointed to the command of the Independence 74, at Boston.

The squadron under the command of com. Charles

Morris, consisting of the frigate *Constellation*, corvette *John Adams* and ship *Cyane*, has sailed for Norfolk, as originally destined.

Legislature of Tennessee, October 16.—In the house of representatives to-day, Mr. *Mitchell*, from the select committee which had under consideration the subject of the Seminole war, handed in the subjoined report.

Whereas the general assembly of the state of Tennessee, are sensible of the many valuable and important services rendered, as well to this state as to the country generally, by major gen. *ANDREW JACKSON*: therefore,

Resolved, That they are deeply impressed with a sense of the fidelity and zeal with which he has, on all occasions, exerted himself to defend the interest, and to preserve the honor of his country.

Resolved, That in the prosecution and termination of the Seminole war, there is nothing for censure—every thing for approval: And while the commanding general has encountered hardships and privations, for no other end than to give security to our borders and protection to the country, it becomes matter of regret, that any efforts should be made to ascribe to him improper motives, or in the least to detract from that reputation which he has well earned, and for which his countrymen delight to honor him.

Resolved, That the conduct of brevet major gen. *EDMUND P. GAINES*, while he conducted the Seminole war, merits the approbation and applause of his countrymen.

Resolved, That the governor be, and he is directed, at the expense of the state to procure, and to deliver to each of the officers above named, a sword, with suitable engravings thereon, as a testimonial of the high respect entertained by the state of Tennessee for their public services.

Resolved, That the senators in congress from this state are hereby instructed, and our representatives are requested, to use their best exertions to prevent the adoption of any measures in the congress of the United States, calculated to tarnish the reputation of said officers in relation to the manner in which the Seminole war was conducted.

After the reading of the report by the clerk, col. *Mitchell* rose in his place, and in a manner peculiarly interesting, eloquent, and impressive, remarked at some length—giving more in detail the sentiments that possessed the committee upon this subject, which were equally demonstrative of the warmth of his heart and the soundness of his head. The question was then taken on the adoption of the resolution, and carried *unanimously*.

The legislature of Tennessee is also much engaged in the worthy work of revising the criminal code, which is considered as unfitted to the present improved state of society—and to establish a penitentiary.

LAW CASE—Winchester. (Va.) Oct. 30.—At the last term of the court of common pleas, for the county of Washington, Ohio, came on the trial of *Froch*, upon an indictment for an assault and battery upon the body of a negro man. The defendant pleaded first, not guilty; and secondly, a special plea of justification, alleging that he was regularly and legally constituted the agent of a Mr. *Hathaway*, resident of the county of Fauquier, in the commonwealth of Virginia, to arrest the said negro man, who was a fugitive from justice, from the said *Hathaway*, his master, and that he proceeded to prove the property agreeably to the act of congress, passed 1793. To which plea the council for the

state demurred generally; and after argument thereon the court sustained the demurrer.

So it appears from the decision, that a resident of Virginia cannot appoint an agent to arrest his servant who may have fled from him and taken refuge in the state of Ohio, the act of congress to the contrary notwithstanding.

Law intelligence.—From the *Utica Gazette*, Nov. 2. *Wolcott, admx. vs. Van Santvoord.*—This case involved a question which has for a long time perplexed the courts in England; and on which not only professional gentlemen, the mercantile community of this country have been much divided. It was decided at the last October term of the supreme court of this state, and the decision is to the following effect: That in actions on notes or bills payable at a particular place, as against the maker of the note, or the acceptor of the bill, it is not necessary for the plaintiff to allege or prove a presentment of the note or bill, for payment, at the time and place specified; but that the non-existence of the fact of presentment is matter of defence only—to be available when the defendant shews that he was ready at the day and place to pay.

Domestic glass Manufacturers.—The perfection at which the manufacture of glass has arrived, may be conceived from the following extract of an advertisement, which we copy from a Boston paper of the 19th ult.

The subscriber has for sale, and can furnish from the New England glass Manufactory, a complete assortment of their glass, consisting in part as follows—

Chemical ware, viz: alembicks, adapters, conductors, condensing glasses, cupping do. cylinders of all sizes, evaporating dishes, gudiomitors, funnels, hydrometers and electrical jars, matrasses, retorts of all sizes, from one gill to ten gallons, receivers of all sizes for do. tubes of all kinds, &c.

Complete sets of chemical apparatus for laboratories furnished at short notice.

Apothecaries' ware—salt mouths, stopper round specia mouths, or confectioner's rounds, breast pipes, nipple shells, patent medicine bottles of all kinds, jewellers' globes, fish globes, graduated measures, mortars and pestles, mullers, pungent, phials of all sizes &c.

Lamp glasses—of all kinds and sizes.

Astral lamp shades—made to pattern.

Hall or entry lamps—complete of all sizes, lamps made to fit old trimmings

Grecian lamps—from 12 to 30 inches, richly cut, from 120 to 300 dollars per pair.

Chandeliers—for churches and halls—made to any pattern or drawing.

Table and desert services complete—viz centre dishes, salad do. all shapes, cellery stands, plates, decanters, wines, tumblers, jellies, lemonades, custards, clarets, champagnes, liquors, salts, castors, liquor stands, &c. of a variety of patterns and prices.

Plain flint glass—and every article of common ware, that is required for retail or country trade.

Castor glasses, &c. made to pattern.

¶ A letter from an officer of the army, dated at *Fernandina*, (Amelia Island) October 30th, to a gentleman in this city, has the following postscript: "By the arrival of the mail this instant, from *Augustine*, news has been received that a vessel from the *Havana*, had arrived at that place, bringing the information, that fifteen hundred troops were to sail from the latter to the former place, in a few days, and that the governor had put in close confinement the captain of the vessel, for giving publicity to the report."

Nat. Int.

NILES' WEEKLY REGISTER.

NEW SERIES. NO. 12—VOL. V.] BALTIMORE, NOV. 20, 1819. [NO. 12—VOL. XVII. WHOLE NO. 426

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

At a meeting in Philadelphia, of the board of Manufacturers of the Pennsylvania Society for the encouragement of American manufactures, Nov. 8, 1819, it was

Resolved, That it be and hereby is recommended to the manufacturers of the U. States who are interested in the modification of the tariff duties, to send a delegate to a general convention, to be held in the city of New-York, at the City Hotel, on the 29th Nov. inst. in order to make the necessary arrangements to apply to congress on the subject.

(Signed)

Thomas Leiper,
Robert Patterson,
Matthew Lawler,
David Lewis,
Robert McMullen,
Gavin Hamilton,
James Cutbush,
Thomas Richards,
Condy Raguett,
Mark Richards,
William Duane,
Thomas Hulme,
M. Cary,
John Siddall,

Samuel Jackson,
Thomas Gilpin,
Henry Simpson,
John Melish,
Eeth Craige,
Henry Horn,
Josiah White,
Alexander Cook,
William Young,
Charles Kean,
Josiah Randall,
T. S. Ridgway,
James Mease.

Philadelphia, November 16.—At a meeting of the board of manufactures, held at Yerke's tavern, Nov. 15, 1819, it was *resolved*, That it be, and hereby is, recommended to the different branches of the manufacturers in the city and county of Philadelphia, to send a delegate to the convention to be held at New-York, on the 21st inst. for the purpose of conferring and agreeing upon such alterations to be proposed in the present tariff of duties, as shall give suitable protection and encouragement to the industry of the United States.

Extract from the minutes,

MATTHEW CAREY, Chairman.

Mark Richards, secretary.

American Iron. The commissioners of the navy are advertising for four hundred tons of American iron, in round and eight-square bars. *Good.*

U. S. BANK vs JOSHUA NORVELL. The Kentucky Gazette, from which we copied the law case inserted in pages 150 and 151, requests that the following correction of the errors of the press may be made. After the semi-colon, in the 19th line, of the 2nd column, page 151—for “or in other words, that the law should even in any manner lend its aid to enforce claims arising out of its own principles, is to this court unaccountable”—read thus “*or in other words, that the law should ever in any manner lend its aid to enforce claims arising out of a violation of its own principles, is to this court unaccountable.*” The errors are important.

FLORIDA. In our last paper, page 176, we noticed a report received by way of Amelia island, that a considerable body of troops were expected in Florida from the Havana; and the following article from the New Orleans Gazette of the 21st October, gives us reason to believe that they have arrived—

“Report has swelled the number of troops lately arrived at Pensacola to two regiments of one thou-

sand men each. This is doubtless an exaggeration—yet when it is considered that there is a bare possibility that such a number of troops may have landed in Pensacola, the citizen of New Orleans loses sight of West Florida, and looks about in his own neighborhood, and enquires with well founded anxiety if his own domicile is perfectly secure. A fair wind would bring these two thousand Spaniards from the Barancas (supposing them to be there) to the Bayou St. John, in 24 hours. And where is the force to oppose them? Regular troops we have none. The militia—alas! what is their number, equipment and organization.”

The Missouri question is exciting much attention. We publish an account of a meeting on the subject held in New-Jersey, and have the proceedings of another in New-York, on the 16th inst. At Philadelphia it is taken up warmly, and we learn that an able memorial will be prepared for congress, shewing the constitutionality of prohibiting slavery in the new states; of which, indeed, the greatest men in these parts of our country have no doubt. The committee of correspondence in New-York is composed of the most respectable persons in the city—so also at Philadelphia, in New-Jersey, &c.

African slaves. A late number of the Georgia Journal, a very respectable paper published at Milledgeville, the seat of government of that state, contains a variety of letters and documents, which powerfully implicate the character of gen. D. B. Mitchell, agent of Indian affairs in the Creek nation. He is charged with keeping a private store, and disposing of his goods at an enormous profit to the Indians, in lieu of the annuities which he ought to pay them in money; and there are several letters published, as from a certain negro trader, named William Bowen, to said Mitchell, which if genuine (and they are said to so under oath), seem to prove that he was engaged in smuggling African slaves from Amelia Island in the latter end of the year 1817. If we recollect rightly, gen. M. was charged with being a party to such transactions by maj. gen. Gaines—and, holding the delicate and responsible situation that he does, he ought not to be suspected.

Postage. When I have any of my own business to do, I make it a rule to pay the postage on my communications. I am always ready to perform little services for all who ask them, if I can; but to be taxed with postage also for doing them, is intolerable, and letters respecting them will be thrown among the rubbish, unless there are special reasons against it. Every few days, pieces of printed paper are handed to me, at the post-office, as the prospectus of some new work, or accounts of machinery, &c. on which I am required to pay the postage. *It is an unvarying rule always to refuse to take up such things.*

The Erie Canal.

The present state of this splendid undertaking is well described in the brief articles that follow. We most heartily rejoice in the belief that im-

mense benefits are about to be conferred on a vast multitude of people, by this noble act of the state of New-York.

The trustees of the village of Utica complimented gov. Clinton on returning from his late excursion on that part of the great canal which is finished: in answer to them he said—

Gentlemen—As the permanent prosperity of our country must depend upon the successful prosecution of internal improvements, we cordially reciprocate your congratulations on the proceedings of this day: they are calculated to animate the hopes of patriotism and to expand the views of benevolence.

On the 4th of July, 1817, the important work which we have just seen, was commenced. And we cherish a confident persuasion that, before the termination of another month, nearly 120 miles artificial navigation will be finished, comprehending the middle section of the western canal, the lateral communication to Salina, and the junction of the waters of lake Champlain and the Hudson river. We shall employ the means confided to us by the state, in the immediate commencement and vigorous prosecution of the western and eastern sections; and, in the course of five years, we anticipate the completion of an easy navigation between the great lakes of the west and the Atlantic ocean.

You have witnessed, in common with many of our fellow-citizens, the origin and progress of this work—You have seen the difficulties which we had to encounter, and you have zealously supported us in the execution of our arduous duties—And we sincerely hope you may largely participate in the blessings which must flow from these and other undertakings which tend to increase the stock of individual and collective prosperity.

DE WITT CLINTON,

President of the board of canal commis'rs.
Utica, October 23, 1819.

One of the acting canal commissioners, thus wrote to the president of the board, from Lenox, on the 31st of October—

"Last night we arrived here, having passed from Rome westerly, on the canal, in 'the Chief Engineer of Rome,' all the way from that place to a point in the canal opposite to this tavern. We had no difficulty in our passage, and were not only highly gratified ourselves, but our progress was exceedingly gratifying to a great number of men, women and children, who thronged on the banks of the canal, at all those points where it is crossed by public highways, and who welcomed our approach by loud and long huzzas. The distance from Utica here is about thirty-three miles, and the canal through the Verona swamps, and indeed all the way to this place, looks well and safe. To-morrow we intend to continue our passage westward in the boat, and we hope to reach the lock, by which this level terminates at Salina, in the boat, in the course of two or three days. Between here and there, two or three jobs are not yet quite finished; but the contractors are laboring at them with great diligence, and such is the influence produced on the public, by our progress, that citizens turn out in as large numbers as can be employed, to aid in their completion. The spirit which manifested itself on our first attempt in navigating the canal, between Utica and Rome, seems to spread without losing any thing of its animation or joy, and it is certain that every body, even the most favorably disposed, are agreeably disappointed."

The route of the canal, west of Seneca river, was not decided upon, in whole or in part, until the late meeting of the commissioners at Utica; when the important subject being considered, it was resolved that the old route, as far as Rochester, on the Genessee river, should be pursued, and completed as soon as the nature of things will admit of. The commissioners will hereafter decide its course from Rochester—three routes are proposed.

Who is it that can calculate the effects on the population and products of our country, by the cutting of this canal from lake Erie to the waters of the Hudson river? If we look at the map of North America, and observe the mighty inland communication which it will open—and reflect, that in consequence of it, the most remote points in our great inland seas will be brought near to the Atlantic—and then estimate the millions of people that will be located on the borders of our western lakes and the rivers that empty into them—we shall just be able to conclude that—*no man can calculate the effects to be produced by the Erie canal.* The work is executed in the best manner—and the locks are said to be of more permanent structure than any in the world:

"Trial by Battle."

It is impossible that we should ever become advocates for duelling but certain cases occur in which our abhorrence of the practice is qualified by its motives; and sometimes, perhaps, a resort to it may be justified as the lesser evil—very rarely however, and never between private persons and on private account. If any justifiable cases do exist, they are to be found in resenting attacks on the national honor, through the persons of military men. If it were not for such appeals among these, it is easy to believe that those who ought to treat each other with courtesy and respect as gentlemen, would seldom meet without disgraceful and oftentimes fatal contentions in the streets, to the greater violation of the morals and laws of society.

We recollect the affair which happened at Malta, when the war with Tripoli (that starting-place of our naval reputation and glory), first broke out. Two of our officers on peaceably entering a coffee-house, were insulted by a British officer, who whispered to one of his companions, loud enough to be heard by all present—"there are a couple of American officers, who would be very much frightened at the smell of gunpowder," or words to that effect. What would the most fastidious person have done in a case like this? Would he not have knocked the fellow down; or have acted as an officer did, who, "poking his nose" into the face of the Englishman, emphatically threw into his teeth the hard words "you are a liar?" A meeting was the consequence, and the aggressor was killed on the spot. The affair made much stir at the time, and the result was courtesy and a respectful deportment between the officers of the two nations.

The late affairs at Gibraltar grew out of like causes and produced similar effects. And it is the testimony of all, that although the American officers may have carried their resentment quite far enough, they were not the originators of any of the disputes, which considerably agitated that garrison for some time.

These remarks occurred on reading the following in the *Trenton True American*; and are offered because it is very seldom that we notice things of this sort.

"The publication of the recent account from Gibraltar, concerning the differences between the American and English officers on that station, has recalled to my recollection an anecdote respecting lieutenant Stockton, which occurred in the Mediterranean in 1817.

"Some of the American officers at Naples, pleased with the attention and fidelity of a Neapolitan boatman, had given him a recommendation, in writing, addressed to all Americans. When the Albion, admiral Penrose, arrived at that station, the boatman went on board, and supposing her to be an American, presented his paper. One of the officers of the Albion wrote on it these words,—*"That, notwithstanding the recommendation of the Americans, the boatman was an extravagant knave; but it was supposed he charged the American officers less on account of their parsimony, and the known poverty and meanness of the American government."* On the arrival of the Erie at Naples, (of which Mr. S. was lieutenant) the boatman, ignorant of the language in which his recommendation was written, and of the contents of the endorsement, presented the paper to Mr. Stockton, who read it, and finding, from enquiry of the boatman, that the endorsement had been written on board the Albion, he put the paper in his pocket.

"As soon as he had moored his ship, he sent a friend on board the Albion, with the paper, to demand the author of the endorsement. At first, all the officers denied any knowledge of it; but Mr. S.'s friend informed them, that if the author was not given up, he would hold the officers of the Albion, generally, responsible for the national insult; upon which one of the lieutenants avowed himself the author. A challenge was immediately sent by Mr. S. to the English lieutenant. Admiral Penrose hearing it, endeavored to arrange it with com. Chauncey. In consequence of which Mr. S. was asked if he would receive an apology? He answered, certainly, but it must be a proper one. A verbal apology was offered and refused; Mr. S. insisting that as the insult was in writing, the apology must be in writing also. This was refused by the Englishman, and an arrangement for the meeting was made. When the Englishman came to the ground, he again tendered a verbal apology, which Mr. S. refused, saying he did not come there to talk. The second shot of Mr. S. wounded the Englishman slightly in the leg, upon which he declined going farther. Mr. S. insisted that he should make the written apology or fight on—he refused to do either, and Mr. S. told him he was a coward, and he should take the liberty of caning him wherever he met him—and thus the matter ended. Many of the young officers on the station would have been equally prompt in avenging the national honor, had the paper come into their hands; but all united in thinking that it could not have been committed to any one who would bear himself with more coolness, firmness and spirit.

A JERSEYMAN."

Political Review.

When the following remarks on "the report of a committee of the senate" and a pamphlet which has recently appeared, entitled "A vindication," &c. was presented to us, by a very respectable correspondent, we asked *what good* could grow out of the agitation of questions on which the public mind seemed settled, and about which the public patience appeared to be exhausted? In return, it was stated, it was apprehended that a discussion respecting certain proceedings in the

Seminole war would be pressed upon the senate, on the one hand,—whilst the friends of the accused were not disposed to rest easy under the charges that had been preferred against them, on the other—and the writer thought that his article might have some weight in preventing an agitation of the subjects, rather than as leading to new discussions of them. We have so far fallen into the opinion of our correspondent as to publish his review, and hope that his anticipations of its effects may be realized. We believe that *enough* has been said and done on either side. If any thing thing further is to be done, we hope that congress will act *directly* on the subject, and strike at the president of the United States—who has made gen. Jackson's acts his own, by sanctioning or excusing them, without bringing him to trial. It is the president only, as the case now stands, that is responsible to the law.

"Report of a committee of the senate, made on the 24th February 1819," "in pursuance of the resolution of the senate of the 18th of December 1818, on the message of the president, and documents, relative to the Seminole war."

"A vindication of the measures of the president, and his commanding general, in the commencement and termination of the Seminole war." "Strictures upon the report of the senate's committee; and the reply by the chairman, Mr. Lacombe."

These articles, although they are not of the most agreeable kind that has fallen under our notice, are, nevertheless, entitled to some consideration, because they contain the statements and the arguments on both sides of the question, whether the constitution has been violated by the events of the Seminole war? It is very necessary that we perfectly understand a subject before we affirm any thing of it. Although, we do not pretend to know more of the incidents of the campaign which terminated in a provisional occupancy of several posts in Florida, than is before the public, yet, from what is now open to all, we affirm that neither the constitution nor the laws have been violated by marching our forces into Florida. In making this assertion we do not commit ourselves to the direction of prejudice or of party vehemence, but rely on the strength of documentary evidence to prove it. The documents growing out of that campaign are before the public; and it might be considered a waste of time to comment upon them, with a view of strengthening the complete justification of executive measures which they afford, were we not invited to the task by a desire to correct some errors and exaggerations introduced into the report of the senate's committee, which forms one of the subjects of our article, as well as to assign some reasons for the prompt relinquishment of the captured posts which, no doubt, influenced the cabinet's decision upon that measure.

The constitutional power of the executive to repel indian aggression and to conquer a peace, has never been denied. It is the application of that power in chastising the Seminole Indians out of the limits of the United States, which was considered questionable. To say nothing of the laws of 1811, and 1813, relative to taking possession of Florida, the executive was authorised by the treaty of 1795, with Spain, to require that power to restrain the Indians from committing hostilities upon the citizens of the United States. The sententious letter of the secretary of state, of the 30th of November, 1818, exemplifies the conduct of the executive in this particular, and, as regards his measures in relation to congress, a summary of the president's mes-

sage, of the 25th of March 1818, will demonstrate his scrupulous regard for the powers of the legislative branch of the government, and the wisdom of his policy. The orders for the conduct of the war accompanied that message. Did congress then consider the course of the executive in issuing military orders to carry into effect his constitutional powers, as tending to results as dangerous to the supremacy of the war-making power, as they have since been apprehended to be injurious to the peace and interest of the nation? Congress, however, acquiesced in the measures communicated in that message, and by that acquiescence sanctioned all the results as emphatically as if a declaration of war had been made with the solemnity of legislative forms. Their acquiescence was characterised by an unanimous vote of supplies to carry the above-mentioned orders into effect.

A recurrence to facts in relation to the surrender of the posts of St. Marks and Pensacola, will clearly establish the position that the constitution was not violated by their capture.

We do not profess to be acquainted with either of the views or the motives which influenced the cabinet in making the prudent and judicious determination to surrender the Spanish posts, whenever a Spanish force, competent to defend them against Indian assault, should appear to receive them. There appears, however, to be three views, in relation to the conduct of the major general, which obviously must have claimed attention.

The 1st, that the constitution be preserved inviolate, the 2d, that war with Spain be avoided, and 3dly, to turn the incidents of the provisional occupancy, and the merited chastisement which it inflicted on the Spanish instigators and abettors of the Indian war, to the greatest advantage in adjusting our protracted differences with Spain.

1st. The constitution.—In the opinions of many, this sacred charter of our liberties, the unequalled monument of human wisdom and valor, was in danger. The bold and energetic measures of the commander, considered as emanating from his usurpation of authority, certainly tended to a violation of the constitution. The application of his forces to effect the expulsion of the Spanish authorities from West Florida upon his own responsibility, without any reasonable provocation on the part of a peaceful and neutral power, would justly have excited alarm. In this view have many affected to consider the acts of major general Jackson: and, when so considered, impressed too with executive sanction of the acquisition of those posts, by refusing to surrender them to Spain, even before that surrender was demanded, the constitution would have been violated; because the unauthorised acts of the commander in expelling by force a neutral and friendly power from her legitimate possessions, would then have been an act of war; and war can only be declared by congress. But, happily for America, and for the best interests of mankind, not one of these positions assumed to conduct us to the conclusion, that the constitution has been violated by occupying Florida, in the way it has been occupied, is true. The moment the commander reported his proceedings to the president, that constitutional statesman decided, and before Spain could make any demand for atonement, to deliver into her possession the posts of St. Marks, Pensacola and the Barancas. This decision was made to preserve the constitution inviolate, while it furnished an additional proof of the magnanimous councils of republics. Ther reinstating the Spanish authority in West Florida, at once proclaimed that the ex-

pulsion of it was unauthorised—that the retention would have sanctioned the unauthorised acts of a subordinate officer, achieved upon his own responsibility, but dictated by the purest intentions to advance the interest of his country. Thus the executive disavowed of the acts of the general in capturing those posts, preserved the constitution, and left nothing attached to these acts, but their vigor, and the imputation of originating in a disobedience of orders. The general has never manifested a desire to escape from any penalty attached to that constructive disobedience, nor the president to screen him, provided, the justification he has so amply embodied from the evidence of the positively hostile conduct of the Spanish authorities, made known to him on his approach to their respective posts, should not protect him. But, whether he was so protected or not, was a question between the general and the president of the United States, to whom, as commander in chief, he is accountable under the rules and articles of war, for all military offences. To enquire or not, into the conduct of Jackson, by a court of enquiry, or to arraign him before a court martial, belongs to the president to decide; and the decision, (be it what it may,) in the mind of so pure a statesman, would be made in obedience to the interest of the state and conformably to principles of justice, and not at the instigation of jealousy or malevolence. It is final. For this decision, provided it does not violate the constitution, the president is not amenable to any tribunal, but public opinion. And that it has not violated the constitution, I trust, is conclusively shown. Having preserved that instrument inviolate, by disavowing the seemingly hostile, but defensive and necessary acts of the commander in Florida, the president has acquitted himself to the laws, and his oath; his notice, then, of the general would be mainly influenced by the probable effect it may have upon our relations with Spain, and upon our character in Europe. The opinions which our own countrymen may entertain of the general's conduct, separated from any bearing upon the constitution, as it is by executive disavowal, will be favorable to our republican character, and not injurious to the perpetuity of our institutions. For it is apparent that the acts of a subordinate military officer, do not, and cannot, violate the constitution, unless his acts are assumed and maintained by the president. Then if the acts are such as if emanating from the president, or commanded by him, would violate the constitution, the president, and not the officer committing the offence, is accountable to the people for the crime. The constitution has defined the mode of trial of a president of the U. States. So have the laws defined the mode of trial of a subordinate military officer. Let the constitution and the laws prevail—and that they may be our shield, and our strength, let the passions of public men be denied the controul of their judgments and opinions in determining what acts legally subject either to trial. It is as much the happiness of this country as it is the glory of the distinguished magistrate who presides over it, that his conduct through the whole of the Seminole war, has been strictly constitutional, and guided by a regard for the prosperity of the people and the honor of the republic.

The second point—a war with Spain presented a combination of interests and views to the consideration of the cabinet, which, in magnitude, has never been equalled in the history of the republic. With the constitution before it, and the most important interests of the country at stake, it was admonished not to allow the incidents of the campaign to change

the pacific relations of the nation with Spain. Independent of constitutional restrictions, weighty considerations required that the ample cause of war furnished by protracted denials of indemnity for repeated aggressions, should be viewed with a spirit of forbearance. Although our interests demand a cautious course of policy, yet no one will admit that this policy emanates from a fear of the power of Spain, or of that of the *holy alliance*. Our safety does not depend upon an acquiescence in the dictation of European sovereigns. Nevertheless powerful internal interests, besides a love of peace, dictate the continuance of amicable relations with all. That this feeling of forbearance and moderation may not be impugned, let us cursorily review the conditions of the powers composing the holy league. The various, contending, commercial and political interests of this imposing alliance, will ever prevent it from making a combined attack upon this republic. Should England assail us, Russia would withdraw her support: because it is the interest of Russia to encourage the growth of the American navy in order to present a barrier to a complete naval ascendancy of Great Britain. Possessing that ascendancy as she now does, and will inevitably maintain, unless crippled and ultimately transcended by the naval power of the United States, England would be always in a condition to impede the march of Russian conquest to the east or to the west. Austria, if true to her policy in relation to continental powers, and especially in respect of commerce and manufactures, would remain neutral at least: because without American trade, enterprise and navigation, her commercial advantages which have their egress and ingress through her single port, Trieste, would be benumbed and lost. France, at the time of our expelling the Spanish authority from West Florida, was sufficiently employed in mitigating the evils which were (and still are), incident to her degraded and lamentable condition, that of being the great fortress of Europe. These evils are as inveterate as is the policy of her enemies. They exhaust the resources, degrade her name and extinguish her being. Lately her relations with her foes have changed, but this change will not immediately confer any ability if it should introduce an inclination, to interrupt our peaceful relations with her. The natural rival of Great Britain, France will never, while consulting her wisdom and pursuing her policy, become her ally in a war of conquest of the United States. Prussia will not seek for advantages in new conflicts while all her desires are accomplished by torturing freedom in France, and by oppressing her own subjects. What interest prompts Prussia to a war with the United States? Her commercial prosperity is in accordance with that of the U. States. The same remark, with a little extension, is applicable to the policy of Holland. Italy, oppressed country! the "*monumentum aere perennius*" of the decline and fall of empires, is too benighted to make war but upon the mind. Although the hatred of the British ministry for America, emanates from something more than jealousy of the success and prosperity of our republican institutions, and is particularly excited by the recollection of recent discomfitures in the execution of their projects against this republic, yet it is generally believed the British government would pursue its apparent policy, in the event of war with Spain, and remain professedly neutral.—As a neutral in such a war, England could and would afford Spain all the naval and maritime means of annoyance; and, under cover of the Spanning flag, her privateers would whiten the ocean and effectually assail our commerce. It would be a

neutrality infinitely more advantageous to her designs than an active war on her part. For this reason, if no other was furnished by a knowledge of their secret policy toward this country, if war had ensued with Spain, we should have been compelled to make England a party against us.*

This short sketch of the various and conflicting interests and policies of the several powers composing the holy alliance, in regard to their several relations with this country, we trust will refute the charge that fear of their combined efforts, and not a spirit of forbearance, a love of justice and of peace, restrained the president from promptly recommending war. We are frank to own it is our opinion that, had not general Jackson punished as he did, the Spanish abettors of the Indian war, or had not the president availed himself of the advantages it furnished him in conducting our negotiations with Spain, the nation would, at last, have been compelled to obtain reparation and justice from her, as from all other European powers with whom we have conflicting interests, at the point of the sword.

It was not the influence of timid counsel, then, that induced the cabinet to decide on peace; it was a conviction that our real interest demanded peace. In the language of a prominent young statesman, respected for his talents and his probity, admired for his capacious and bold views of policy, the cabinet decided upon peace because the nation required "time to grow, to perfect our fortifications, to enlarge our navy, to replenish our depots and to pay our debts." Wise and cogent reasons! the reflections of a sagacious and comprehensive mind. With such understandings to counsel, the president will never hear the whisper of timidity. With such advisers whose genius may animate, whose energy may invigorate, protected from aberration or exuberance by the ægis of the experienced and illustrious chief who presides in the cabinet, cannot fail, alike to discern and pursue the true interest of the nation. The public and private character of the president ought to shield him from the imputation of violating the constitution. It is his duty as it is his inclination to preserve and watch over the constitution and the rights which it protects. His blood has been shed to procure to the people of the United States the freedom and ability to form a constitution of self-government. From its birth he has guarded it by the best efforts of his wary mind; and now, when to his earliest and most constant devotion to its popularity is superadded the obligations of an oath to preserve and defend it, have the people any ground to apprehend a delinquency of duty? His whole political life furnishes proof of almost unexampled devotion of time, of the labor of body and mind to advance the prosperity and grandeur of his country. In the evening of his days can we suppose him weak enough to seize upon a few feeble incidents in the management of an Indian war, to base an effort of such magnitude as the violation of the constitution, which is cemented by his own as well as the blood of patriots who have, in achieving the way to it, evinced more than Roman valor and fortitude, and furnished lessons of more than Roman wisdom. At a moment of enjoying a popularity and felicity of administration altogether unequalled in the annals of our government since the days of Washington, can any one, how recreant soever his virulence, suppose this venerable statesman penetrated with designs to subvert the liber-

*It is believed to be unnecessary to extend our remarks to the relations of the other powers composing the league, with this country.

ties of the people? Americans! pause, before you credit the charge against a man who, unoppressed by disasters, unyielding to fear when the mightiest combination of power which has ever been arrayed against freedom, threatened desolation, stood "like the strong man embracing the pillars of the state" to behold the elements of that combination dissolve before the energies of republicans directed by his wisdom. Even Mr. Lacoek, when he directly charges him with such designs, did not believe them true, because at that moment he was a candidate for an important executive territorial office.

The history of Munroe's administration will be recorded among the brightest pages of the history of the freedom of man. His fame will be co-extensive with the fame of the republic, which with its present purity and energy, I pray God, may be eternal.

In relation to the third consideration, the influence which the incidents of general Jackson's measures might be made to have on our relations with Spain. We can only refer to the results, the cession of the Floridas, for proof of its powerful and beneficial effect.* The adroitness with which the advantages, flowing from those proceedings, were combined, are at once evidence both of the sagacity of the cabinet and the foresight of the general. The correspondence of the secretary of state with the Spanish minister near our government, and with the American minister near the court of Madrid on this important subject, happily presents the character of our policy and glowingly portrays the iniquities of the Spanish authority in West Florida, which were so justly punished by its expulsion to Cuba. The manner and character of that expulsion while they were so controuled by the administration as not to violate the constitution, were properly used to terminate our differences with Spain in a treaty embracing the cession of a valuable and necessary territory to our republic, indemnifying our citizens for spoiliations long ago committed on our commerce, and, in all other points "giving indemnity for the past, and promising security for the future." This treaty will preeminently distinguish Mr. Monroe's administration—It has in the celerity of territorial acquisition the advantage over Mr. Jefferson's, that of definite and positive boundaries—and, while it proclaims that our Spanish affairs have been ably and wisely managed, it furnishes additional evidence to the world, that our policy is peaceful—that we are slow to resort to arms, not from a dread of the issue to our country, but because we love peace, and to see our country advance in prosperity and greatness, by "equal and exact justice to all," rather than by the force and splendor of our arms.

Finally, this report is a curious production to emanate from the American senate. Did it not come from a committee of that truly respectable body, it would not be entitled to notice. It was made avowedly to correct public opinion in respect of the *errors* of the administration in refusing "to inflict punishment," or "to pass a censure upon gen. Jackson for that conduct, the motives for which were founded in the purest patriotism; of the necessities for which he had the most immediate and effectual means of forming a judgment; and the vindication of which is written in every page of the laws of nations, as well as in the first law of nature, self-defence"—and to temper that dangerous propensity of the people to approbate military probity and pa-

trioism, even when signally exercised for the welfare of the state. Its violence and exaggeration are unequalled in the parliamentary annals of this or any government—and are carried to the higher pitch, because privilege inculcated the belief that its author was exempt from personal responsibility. Before he gave utterance to his dispositions, he felt secure that his excitement would find no issue with the accused in an open trial, where the accused would confront the accuser. This manly and legal mode, (if any course can make proceedings legal which are, in themselves, unconstitutional), was evaded by a majority of the committee, because it would have defeated the purpose to be obtained by an *ex parte* examination. The examination of the general before the committee would have furnished him an opportunity to defend his honor; to illustrate the necessity of his acts; to prove their legality and correctness, and to vindicate the purity of his motives, and the constitutional character of the proceedings of the executive. It would also have deprived the chairman of presenting such facts in an exaggerated dress, as would best inculpate the general and the administration, and thus have marred the execution of his patriotic intentions of correcting the dangerous propensity of the people to lean toward the side of honesty, energy and political magnanimity. An additional object of the report was to render the army odious, and thus pave the way for its reduction at the next session of congress. Two members of the committee are exempt from this imputation of motives. One, (Mr. King), a statesman of the revolution, knew well that the constitution confers no power on congress to appoint committees to censure and punish a subordinate executive officer when the laws have provided a tribunal for his trial, if his conduct merits punishment. Unfortunately for the dignity of the senate, and the purity of the constitution, these gentlemen were the minority of the committee. Mr. King contended, that every position of national law assumed by the majority, in their report, to strengthen their denunciation of the general and the executive, was erroneous. This Palinurus of the senate pledged himself to prove these assumptions of law to be groundless in principle. But the wary chairman, forcing the fate attending his report, if debate were tolerated, contented himself and adherents with issuing it against the reputation of men who had not been on trial. In a word, this report of condemnation for an alleged violation of the constitution, under as many heads as enmity might require, is founded on acts of general Jackson, in all respects similar to what was practised by him under orders of president Madison, in 1814; namely, "if the Spaniards admit, (in their towns) feed, arm and co-operate with the hostile Indians, you must strike upon the broad principles of self-preservation."† To execute this order, as well to conquer the Indians as to defend New-Orleans, the general had recourse to volunteers as the most efficient and economical force, as he had to execute his orders in 1818 to bring the war with the Seminoles to a successful and honorable termination. This committee charge the general with disregarding "the positive orders of the department of war, the constitution and the laws," in calling into service volunteer mounted gun-men, and "in the appointment of the officers of the militia." Here is a colossal usurpation of power by the general. But, happily for the people, the charge is not true. It is true the

*The treaty, however, it must be recollected, has not been ratified. [ED. REG.]

†General Armstrong's order to general Jackson, in 1814, authorising him to take Pensacola.

general called for volunteers from among the militia, in preference to waiting the slow process of drafting—this call was accompanied by a requisition on governor McMinn, for the force specified in his appeal to the patriotism of the brave Tennesseans—and he particularly stated to the governor that if he did not approve the call for volunteers, to furnish the militia required in the way he deemed best. The governor approved his call for volunteers, and even raised a corps for the service after general Jackson had marched from Tennessee, and ordered it to report to the general on the field. This corps joined the general on the Appalachicola. It was commanded by captain Donlap, and is the same which is denominated by the committee "life guards," whose "officers were appointed by the general, or by persons under his command." The other company of "life guards," commanded by captain Crittenden, was raised in Kentucky, and joined, completely organized, after the army reached the enemy's country. The act of volunteering, esteemed by the hardy and patriotic yeomanry of the west more honorable than the hesitating mode of drafting, did not change the character of the force—it was militia still, except in its veteran fame, and as such received, in common with the Georgia militia, the advantage of Mr. Cobb's bill to increase the pay of the militia, employed in the Seminole war, to the pay the regular troops enjoyed during the late war. When a militia force is called into the field at the southward, it elects, from its own body, the officers and non-commissioned officers. This practice is conformably to the militia laws and militia usages of the southern and western states. In the instance cited by the committee, of the appointment of the officers, as a "monstrous usurpation of power," the general merely acquiesced in the militia usages and laws of Tennessee—he did not appoint a single officer—the volunteers elected them; some of whom enjoyed the rank of field officers by state commissions, but served as platoon officers during the campaign, by the choice of the corps to which they were attached. This usage has prevailed in every instance when the militia of the western and southern states are called into the United States service. I will leave it to the southern gentlemen to say, what would be the consequence, should a general interdict the election of officers when militia are called upon to march against an enemy. Did not the Georgia militia elect their field officers after they reached the rendezvous at Hartford?

The committee pretend to discover another instance of *intention* to violate the constitution, in general Jackson's order to general Gaines, to reduce the fortress of St. Augustine. This order was founded upon a report of general Gaines that the governor of St. Augustine had "admitted, fed and armed the hostile Indians," and excited them to renew hostilities, which had been checked, not terminated, by the capture of St. Marks and Pensacola. This order is denominated by the chairman of the committee a decree of a military despot, "to make war on a neutral colony of a nation in peace and amity with the United States; thus disregarding, not only the legislative and executive authorities of the United States, but setting at naught the usages of all civilized nations, by making war without a previous and public declaration." The general, in the order copied into the report of the committee, emphatically states that the proceedings contemplated were not "on the ground that the United States were at war with Spain, but on the ground of self-preservation, bottomed on the broad basis of

the law of nature and of nations, and justified by giving peace and security to our frontiers," which had been disturbed by the intermeddling and instigations of the Spanish commandants. The contemplated attack was not 'peremptory,' but conditional and dependent upon proof that the governor of St. Augustine had not only neglected to execute the treaty stipulations of his master, but had abandoned the neutrality of his sovereign and became a party to the war of the Indians against the United States. Under these circumstances it was the duty of gen. Jackson, under the orders of the department of war, (of the 29th January and 6th of February, 1818) to terminate the war, to direct gen. Gaines to pursue the course specified in his order of the 7th of Aug. 1818—Gen. Jackson promptly reported his order to gen. Gaines to the department of war, when a countermanding order was forthwith despatched to gen. Gaines. At this moment general Jackson had not been advised of the decision of the executive to surrender the posts of St. Marks, Pensacola and the Barancas—the capture of which, perhaps, might have been justified by the president for the reasons on which gen. Gaines was ordered to take St. Augustine; namely, that the Spanish commandants had abandoned the neutrality of their king, and had made themselves parties to the Indian war against the United States. In this order general Jackson evinced, not only a watchfulness to the interest and honor of his country, but a constant obedience to former orders of his superior, by directing general Gaines to allow "nothing to prevent him from reducing St. Augustine," after being furnished with the required evidence of the hostile conduct of its governor, "except a positive order from the department of war." The violent conclusions of the committee, drawn from the fact stated above, that "the vital principles of the constitution have been violated," are as wonderful as irrational.

As regards the trial of Arbuthnot and Ambrister, the objection which has been made to the authority of the court militates nothing against the justice and propriety of executing those instigators of the war. By their intermeddling they merited the fate which befell them; and it was, at all times, competent for the general to apply to them the rules of savage warfare, they having expressly identified themselves with the Indians in the broadest sense possible. But it was never the intention of the commander to place these men before a court-martial—The purpose of the general order of the 26th of April, 1818, was merely to investigate the conduct of these intermeddlers, to determine the degree of offence, to record documents and testimony, and the opinion of the officers detailed as to the guilt or innocence of the prisoners. At this stage of investigation the commander designed to take upon himself the application of the punishment. I own it would have equally accorded with justice had the general applied the summary punishment to these outlaws that he awarded to Hilarajo and Hemathlemico. As an act of retaliation, of policy, of justice, of humanity, it ought not to be, for a moment, regretted. It was an application of energy and justice that must be beneficial to the interests of the country.

Finally, there are two reasons why the denunciation of the commander and the executive, (for the blow is aimed at the president through Jackson) cannot succeed:—First, it is illegal to try any citizen or soldier without a previous arrest, and unless the accused, if a soldier, be furnished with a copy

*The object of marching into Florida.

of the charges, having the power of confronting the accuser and the witnesses, and publicity be given to the whole trial. Prevotal courts, composed of members of congress, at the sole instigation of themselves, are not known, either to our constitution or to the practice of the judiciary. Secondly, the measures revealed by the *ex parte* proceedings are not in harmony with the feelings of the time. In a country of freedom and of laws, where all acts of the government correspond to the latter, or are based upon public opinion in the absence of a prescribed rule, the feelings which give rise to this opinion must be regarded. That generous impulse of the soul, which often determines the noblest actions of individuals, always influences the great and liberal opinions of a nation. In deciding the merits of Jackson's acts, the claims of philosophy and of reason should be respected. Passion and prejudice should be discarded in making a judgment upon public men. A profound thinker has said that "a sure method of never mistaking the wish of a majority of a nation, is never to follow any other than a lawful course for the attainment even of those objects which are thought most useful."

Our attention is here diverted from the report by general Jackson's strictures upon it, and to the reply to the strictures by Mr. Lacoek.

The strictures and the reply are dangerous, indecorous and undignified—dangerous, inasmuch as it is contrary to the spirit of our constitutions for a military officer to arraign the proceedings of the constituted civil authority—indecorous as the authors of both the strictures and the reply, descend to personalities and imputations at once criminal and low—undignified for an American senator to stoop to a vindication of that august body against any charge which a military officer could or dare make against his official and legislative conduct. By such vindication a senator incapacitates himself as a judge or juror upon the trial of the delinquent before the senate. Hence an American senator should, with great delicacy and hesitation, independently of the consideration of dignity, descend to news paper altercation with a supposed public delinquent—for to prove general Jackson such was the object of Mr. Lacoek's reply.

How much then to be lamented are the legislative proceedings in this unfortunate affair. It cannot be disguised that congress precipitated itself into the enquiry which it made.

Had the respective committees maturely examined the executive's proceedings in relation to the general's conduct, they would have found that the president disapproved of that conduct and especially of the capture of the posts. With all the delicacy which the posture of our affairs with Spain would allow, he rebuked the general for his disobedience of orders, by stating that the conquest of the posts was achieved upon the general's own responsibility—"that they could not be retained without endangering the relations of amity and peace which existed between Spain and this country, and were, therefore, ordered to be restored immediately to Spanish authority." This language sufficiently conveys the executive opinion that the general had disobeyed his orders in the commission of acts which if sanctioned by the president would have violated the constitution in making war without legislative declaration. We are to look for reasons why more severe measures toward the general were not adopted to the then important interest at stake, to be decided by the pending negotiations with Spain and to the justification of the acts themselves in the hostile conduct of the Spanish

commandants toward our forces. We are satisfied that the president in his first considerations of the operations in Florida never intended to defend the general, whose zeal for discipline and the advancement of his country's good, as he perceived it, induced the commission of acts justifiable, in his own opinion, "by the laws of nations and required by self-defence." Impressed with favorable sentiments, as regards the cause of his actions, and associating them with former advantages derived to his country from feats of valor and patriotism, the president could not suppose the tendency of the general's operations would be injurious to our institutions or dangerous to liberty. We do not believe with some of our fellow citizens, that these feats of almost romantic prowess which have elevated our name abroad and secured repose at home, have been sullied by an enthusiasm to do in the field, at least, more than the occasion seemed to require to be done either for honor or advantage. The general's proceedings appear to have been dictated by the immutable principles of self-defence; and the motives and policy which induced the executive decision to restore the captured posts were exactly those which made it peculiarly proper to sustain his conduct in our relation with other powers and to treat his acts with indulgence in respect of their effects upon our own institutions. Moderation towards the commander was proper on account of the misconduct of the Spanish authorities in the Floridas who had long merited the chastisement they had received, and whose conduct during the whole conflict will justify him in the opinion of the world for the part he acted. By surrendering the posts the allied powers were deprived of a motive, had the will existed, for uniting against us; while the hint to Spain, that we were not so much afraid of them as they had supposed, was not the less sensibly felt. These considerations present themselves very forcibly to us as the motives which induced the surrender of the Spanish posts. Moderation to the commander was accompanied by additional ones which, no doubt, had much weight with the executive. These are very happily illustrated in the very able letter of the secretary of state of the 28th of Nov. last, and ought to be considered conclusive in respect of his justification, in point of policy, by every American. Nevertheless, while attributing this eagerness "to serve well" to the noble origin of "love of country," we do not the less deprecate any injuries to our civil institutions which are likely to flow from it. We are therefore, constrained to concede that in the instance of the Florida campaign, while it was admitted that the Spanish authorities were unable to defend their possessions against Indian aggression or unwilling to maintain treaty engagements, it would certainly have been more congenial to the spirit of our constitutions and more consonant to the policy of administration to have abstained from reducing St. Marks and Pensacola. In obeying his orders the general could have effectually intercepted the intercourse of the Indians with these posts; and the abandonment of their neutrality added to their unwillingness to execute the engagements of existing treaties, would have been good cause of war which congress would have declared against Spain had the president recommended it, and which that vigilant statesman would have done had the interest and honor of the republic demanded it. We are not, however, disposed to deny to general Jackson, both as a statesman and consummate commander, the right, at this day, to appropriate to himself the language and sentiment of the earl of Chatham—"there

is one ambition at least which I will not renounce but with my life. It is the ambition of delivering to my posterity those rights of freedom which I have received from my ancestors." The general's whole political career vindicates his right to resort to so noble a principle, so pure an ambition, as an apology for any exuberance of any effort of the many he has made to maintain his country's honor and freedom.

Banks and Banking.

MARYLAND. The following resolution was passed by the legislature of Maryland at its last sitting, and we hope that it will be duly respected.

"Resolved, That the president and directors of the several incorporated banks in this state be, and they are hereby required to report to the next general assembly, on or before the 15th day of December next and annually thereafter, the state and condition of their several banks; and that in their said several reports, they shall specifically state the amount of specie in their banks, the amount of debts due from other banks, individuals or corporations, the amount of bills and notes discounted, and the amount of real estate belonging to the institution; and also the amount of capital paid in, the amount of notes in circulation, the amount of deposits, and the amount of debts due to other banks or individuals."

Union bank of Maryland. Jonathan Pinkney, jun. esq. has been appointed cashier of this institution, vice Thomas Ellicott, esq. who agreed to serve for a limited time, on the resignation of the former cashier, Mr. Higginbotham.

The president and directors of the Conococheague bank (of Maryland) have called a meeting of the stockholders, to be held on the 23d December next, in order to determine whether said institution shall be continued or not. They view the present situation of the bank as perfectly safe and solvent.

Extract of a letter to the editor from a gentleman of Delaware. "I shall continue to be a subscriber to the Register so long as it maintains its present distinguished rank. I am what is called a federalist, but have too much liberality to reject principles merely because they are advanced by a democrat: in fact, the force of party names is fast wearing away, and it is right they should. Well governed, correct principles afford better securities to the people for an upright conduct in office, than any party name under heaven. The people are becoming aware of this, and principles will triumph, maugre the efforts of those who find it to their interest to pull the wires of puppet-party. My notions coincide with yours pretty generally. I am particularly pleased with the courage and firmness you have displayed in your attacks upon the banks. I regard them as the remote, if not immediate cause of most of the evils which are the subject of such great and general complaint. They have encouraged luxury, extravagance, speculation, fraud and idleness, and banished the precious metals and national industry—they have enriched knaves and scoundrels, and beggared the honest part of the community, who have been silly enough to dabble in them."

From another letter from a gentleman of Indiana— "The very commendable stand that you were the first to take against our village aristocracies, the paper bound and paper-issuing scourges of our otherwise happy country, merits and will receive the gratitude of every disinterested citizen.

"If you will take the trouble to refer to the 10th

article of our constitution, it will shew you that, although we have five or six unlicensed individual banking establishments in this state, yet they were positively prohibited by the framers of that instrument. But what is most extraordinary, some who were members of the convention are among the parties concerned in *manufacturing money*."

[He then gives the name of a person, filling a public office of the highest respectability, who is signing some sort of *mill bills*—from 64 cents to \$5, payable "ten days after date, in current paper"—the consequences of which he justly deprecates; but says the grand jury had refused to bring in a bill against the active agent, because it is supposed many great folks were interested in the *shavings*.]

Description!—I asked a friend who returned from — the other day—what was the state of business there? "Every body is fully employed," said he. How so? "Every man who has 100 dollars is *shaving*, and every one that wants \$100 is trying to get *shaved*, and you find a broker's office in every street. *Shavers and shavees* are the bulk of the male population, and many females are also busy in such matters."

The times. A writer in the *Richmond Enquirer*, thus describes the state of the times—"I confine my views to a single county, in order that they may be more striking, though I know full well there must be the same distress every where. Of gold and silver we have next kin to none; of Virginia and United States bank paper but little—of North Carolina money, if it had credit enough to pay taxes, buy necessities, and discharge debts: but it has lost its credit—the merchant will not take it; the sheriff demands a discount when he takes it for taxes—the creditor takes it when he doubts the solvency of his debtor; it circulates freely among professional men for their professional services, and a few independent farmers, in whose hands some predict it is destined to perish an emblem of their folly, and in better days the remembrance of an iron age that has passed away. The preponderance of North Carolina money here, over all other money, is produced by our contiguity to that state. Here too is manufactured annually, one hundred tons of bar iron, besides large quantities of castings, most of which is sold principally to the Carolinians. Add to this, a large portion of that state is supplied with waggons in this county; until very lately it was estimated that a hundred waggons selling for \$150 each, went from our shops to the north state. Our soil, in general, is indifferent; but our iron mines are of the first class, and our manufactures are excellent and deserving. Thus, from the nature of things, the money here must be that in common circulation in North Carolina, and you are prepared to estimate our difficulties from the depreciation of the Carolina paper. The iron business languishes; the wagon shops are shut up; taxes cannot be paid in the required money; the flinty creditor asks Virginia paper, or gold and silver, for his debt: the debtor, unable to raise either, gives up his land, and, ruined and undone, seeks a home for himself and his family in the western wilderness. This picture is sometimes realized. A tract of land, of 300 acres, sold a few days ago, about 25 miles from my house, for \$300 only. The improvements on this land I have heard variously represented; some say they were worth \$1,500, some much more. A horse valued at \$80, was sold the other day near my house for \$10; and two wagon horses were sold about the same time for \$40, which I well know cost nearly \$200. If the state of the currency was calculated only to ruin the knave, it might

be endured without complaining; but alas! it is calculated to ruin the honest man also. The writer of this article can weather the storm; he owes nothing, he views the scene with impartiality; he feels for his neighbors, and hence he has devoted his thoughts to their relief."

This remedy for such things is, the issue of twenty millions of dollars of paper money, by the United States, saying that they "would instantly occupy the place of gold and silver." So they might—but what is there to give them *circulation*? Would they not immediately be deposited in the hands of "misers and speculators?" Money is wanted at this time chiefly to pay debts—not to invest in new businesses, to make more money. But the editor of the *Enquirer* observes, "Our correspondent presents us with many just and striking views; but he does not seem to lay a sufficient stress upon the mischievous consequences of the bank mania.—The banks have essentially contributed by their excess to our present embarrassments; not only by increasing extravagance of *living*, but of *speculation*; in land, houses, foreign goods, and the purchase of domestic articles for foreign markets; raising the price of tobacco, flour, &c. at home.—We really borrowed money so easily and on such accommodating terms in point of time, that we almost thought it *our own*, and scarcely ever expected to be called upon for it. *Hinc ille lachrymæ!*—As to the prescription of our friend, we shall withhold any opinion upon his bills of credit, until he complies with his promise of developing them further."

"*Ohio money.*" The Detroit Gazette contains the following queer classification of the money of Ohio.

Bank of Chillicothe;	
Do. Lancaster;	
The banks of Steubenville;	
Farmers & Mechanics' bank of Scioto;	} <i>Good.</i>
Bank of Marietta;	
Western Reserve bank;	
Bank of Mount Pleasant;	
Bank of West Union;	
Farmers, Mechanics, & Manufacturers' bank of Chillicothe;	} <i>Decent.</i>
Bank of Columbus;	
Do. Dayton;	
Lebanon Miami banking company,	} <i>Middling</i>
Zanesville canal do.	
Bank of Urbana;	
Do. Muskingum;	
Miami Exporting company,	} <i>Good for nothing.</i>
Piatt's bank,	
Bank of Cincinnati,	
Farmers and Mechanics' bank of do.	

Planters bank at New Orleans. The cashier of this bank, Mr. B. Blanchard, who seems to have been a very amiable man, having strangely disappeared and now believed to have been assassinated, a report spread that he had absconded with a large sum of money. The affairs of the institution were immediately investigated and all found to be right; but there was a press for the payment of specie, and as fast as the tellers could count out the dollars every body was satisfied.

The other banks freely offered their aid to sustain the pressure, though at one time the city guard was necessary to keep the peace.

Edwardsville bank.—The St. Louis Gazette of the 2d ult. says "Upwards of five thousand shares in this bank have been forfeited for non-payment of the instalments which have been called for."

Reading, Nov. 6. A meeting of the stockholders of the Farmer's bank of Reading, was held on Monday last, and we are informed that a thorough in-

vestigation of the concerns of said institution took place. It was agreed that upon the renewal of notes due the bank, for two successive renewals, 10 per cent. should be paid in, which will reduce the amount of notes in circulation to about 70,000 dollars, and enable the bank to resume its functions. Should this however not be sufficient, the stockholders have agreed to pay an additional instalment of five dollars on their shares respectively. This last measure will no doubt enable the bank to revert to specie payments, and effectually to re-establish its credit.

At a meeting of the stockholders of the Northumberland, Union and Columbia bank, (Pa.) held at Milton, on the 1st inst. it was unanimously agreed that said bank should cease its operations and wind up its concerns as soon as practicable.

Negro fort on Appalachicola.

FROM THE NATIONAL INTELLIGENCER.

Since the last adjournment of congress, we have published a number of documents touching the part borne by the naval part of the expedition against the Negro fort on the Appalachicola, in Aug. 1816. We then suggested that there was an obvious deficiency of the information necessary to give a complete view of that transaction, inasmuch as no notice was taken of the assault on the fort by land. That deficiency we have it now in our power to supply by the politeness of a friend, who affords us the opportunity of publishing colonel Clinch's official letter, giving an account of that transaction. It has never before met the public eye.

Messrs. Gales and Seaton:—Being well acquainted with that gallant and meritorious officer colonel D. L. Clinch, and knowing that he commanded the troops in that quarter at the destruction of the Negro fort, established by the British during the late war, on the Appalachicola, I was expressing my surprise to an officer who served under colonel Clinch in that expedition, that no report of it had been made; when he gave me the enclosed copy, saying that the colonel is too modest to publish it himself, and his friends in the army know that his character is too well established as a soldier, to require a detail of his conduct in any particular affair.

Such considerations may satisfy the colonel and his friends; but, should you agree with me, that the public will be gratified by a knowledge of the facts it discloses, I beg you to publish it in your paper.

A CITIZEN.

Camp Crawford, 2d August, 1816.

SIR—I have the honor to inform you that I received a letter from major general Gaines, dated —, advising me that he had ordered a supply of provisions, two eighteen pounders, one five and an half inch howitzer, and a quantity of ordnance stores, to ascend the Appalachicola river to this post. I was also instructed, in case opposition should be made by the fort occupied by negroes and Choctaw Indians, to the passage of the convoy, to take measures for its reduction.

A confidential chief, called Lafarka, was immediately despatched with a letter for the officer commanding the convoy, with instructions to remain near the bay until the arrival of the vessels. On the 15th ult. the chief returned, with a letter from sailing master Loomis, informing me of his arrival in the bay with two gun vessels, conveying two transports, laden with provisions, ordnance, ordnance stores, &c. On the 17th I left this place with one

hundred and sixteen chosen men, in boats, and commenced descending the river. The detachment was divided into two companies, commanded by brevet major Muhlenberg and captain Taylor.—On the same evening I was joined by major McIntosh, with one hundred and fifty Indians, and on the 18th by an old chief called captain Isaacs, and the celebrated chief Ketcha-haigo, (or mad tiger,) at the head of a large body of Indians, many of whom were without arms.

My junction with these chiefs was accidental; their expedition having been long since projected.

Their object was to capture the negroes within the fort, and restore them to their proper owners. We held a council, and the enclosed agreement, (marked A.) was entered into. I ordered the chiefs to keep parties in advance, and to secure every negro they fell in with, and to join me near the fort. On the 19th they brought in a prisoner, taken the evening before, with a scalp, which he said he was carrying to the Seminoles. He further stated that the black commandant, and the Choctaw chief, had returned to the fort, from the bay, the day before, with a party of men, with information that they had killed several Americans, and taken a boat from them. I was met the same day by Lafarka, who informed me that he had not been able to deliver my second letter to the officer commanding the gun vessels.

At 2 o'clock on the morning of the 20th, we landed within cannon shot of the fort, but protected by a skirt of wood. I again sent Lafarka with a letter, notifying the officer commanding the convoy of my arrival. My plan of attack was communicated to the chiefs, and a party of Indians under major McIntosh were directed to surround the fort. Finding it impossible to carry my plans into execution without the assistance of artillery, I ordered major McIntosh to keep one third of his men constantly hovering round the fort, and to keep up an irregular fire.

This had the desired effect—as it induced the enemy to amuse us with the incessant roar of artillery, without any other effect than that of striking terror into the souls of most of our red friends.

On the 23d I received an answer from sailing master Loomis, in which he informed me that on the 16th, he sent midshipman Luffborough (a young gentleman of fair promise) and four seamen into the river for fresh water; that they were fired upon by a party of negroes and Choctaws; that the midshipman and two seamen were killed; the third was taken prisoner; the fourth made his escape by swimming—and requested me to send down a party of men to assist in getting up the vessels. In the evening a deputation of chiefs went into the fort and demanded its surrender; but they were abused and treated with the utmost contempt. The black chief heaped much abuse on the Americans and said he had been left in command of the fort by the British government, and that he would sink any American vessels that should attempt to pass it; and blow up the fort if he could not defend it. The chiefs also informed me that the negroes had hoisted a red flag, and that the English jack was flying over it.

On the 24th, I ordered lieutenant Wilson to descend the river with a small party, to assist in getting up the vessels, and to inform the commanding officer that the fort was completely surrounded, and that he might ascend the river in safety. On the 26th, I went on board gun vessel 149, about four miles below the fort. I had previously determined on a position in the rear of the fort, for erecting a batte-

I found them mounted on heavy garrison carriages which rendered it almost impossible to get them to the spot selected, as they must have been taken through a cypress swamp.

After reconnoitering the river below the fort, in company with the commandant of the gun vessels, I determined to erect a battery on the west side, and ordered brevet major Muhlenberg and captain Taylor to cross, with their companies, leaving lieutenant McGavick and a party of men with the main body of the Indians, to secure the rear.

I immediately commenced the battery and ordered the gun vessels to move up, and take a secure position, and directed the transport Similante to be in readiness to land the artillery, under cover of the night.

In the course of the evening, after consulting with the commanding officer of the convoy, I directed him to move up the two gun vessels at day-light next morning. About six in the morning they came up in handsome style, and made fast along-side of the intended battery.

In a few minutes we received a shot from a 32 pounder, which was returned in a gallant manner. The contest was momentary. The fifth discharge (a hot shot) from gun vessel No. 154, commanded by sailing master Basset, entered the magazine and blew up the fort. The explosion was awful, and the scene horrible beyond description. Our first care on arriving at the scene of destruction was to rescue and relieve the unfortunate beings that had survived the explosion.

The war yells of the Indians, the cries and lamentations of the wounded, compelled the soldier to pause in the midst of victory, to drop a tear for the sufferings of his fellow beings, and to acknowledge that the great Ruler of the Universe must have used us instruments in chastising the blood-thirsty and murderous wretches that defended the fort. The fort contained about one hundred effective men, (including twenty-five Choctaws,) and about two hundred women and children, not more than one-sixth part of which number were saved. It stood on the east side of the river, about twenty-five miles from the bay, and one hundred and twenty, by water, from this post. The parapet was about fifteen feet high and eighteen thick, and defended by one thirty two, three twenty fours, two nines, two sixes, and an elegant five and an half-inch howitzer.

It was situated on a beautiful and commanding bluff, with the river in front, a large creek just below, a swamp in the rear, and a small creek just above, which rendered it difficult to be approached by artillery. But under all these disadvantages, it was taken without the loss of a single man on our part.

The property taken and destroyed could not have amounted to less than two hundred thousand dollars. From the best information I could obtain, there was in the fort about three thousand stand of arms, from 5 to 600 barrels of powder, and a great quantity of fixed ammunition, shot, shells, &c. One magazine, containing 163 barrels of powder, was saved, which was a valuable prize to the Indians. The enclosed paper, (marked B.) contains a schedule of the property taken in the name of the U. States. The greater part of the negroes belonged to the Spaniards and Indians. The American negroes had principally settled on the river, and a number of them had left their fields and gone over to the Seminoles, on hearing of our approach. Their corn fields extended nearly fifty miles up the river, and their numbers were daily increasing. The

chiefs passed sentence of death on the outlawed Choctaw chief and the black commandant, (Garrison,) for the murder of the four Americans, and the sentence was immediately carried into execution. The Spanish negroes were delivered to Mr. Hamblly, agent for the house of Messrs. Forbes and Co. and the American negroes are confined at this post.

On the 30th inst. the transports were unloaded, as I found it impossible for them to ascend the river, and the provisions, ordnance and ordnance stores, put on board small boats, and ordered to this post.

On the evening of the 1st inst. I received information that a large body of Seminole Indians was within a day's march of us, and in a few hours the report was confirmed by a letter from major Cutler, left in command at camp Crawford, informing me, that a large body of Seminoles were descending the Appalachicola. I immediately ordered major Muhlenberg to keep the boats together, and to be in readiness to receive them, and directed one hundred Indians to keep with the boats, and to act in concert if necessary.

I advanced with two hundred Cowetas, under the gallant major McIntosh, to meet them; but the cowardly wretches dispersed, without our being able to get a view of them.

I should do injustice to my own feelings, and to the officers and men that were with me on this expedition, were I to close this report without tendering to them my warmest acknowledgments for their cool and intrepid conduct, for their patience and perseverance, under the most trying circumstances. To the distinguished lieut. Randolph, and to Dr. Buck, (who composed my staff,) I am under many obligations. Doctor Buck's coolness and intrepidity were only equalled by his superior skill, and humane and generous attention to the wounded.

I must beg leave to recommend to my government the gallant major McIntosh, captains Noble, Kanard, George Lovett Blue, and lieut. Billy Miller, (all from Coweta,) for their distinguished conduct during the whole expedition.

With considerations of the highest respect, I am, sir, your most obedient servant, D. L. CLINCH,

Lt. Col. 4th inf. commanding, &c.

Col. R. Butler, adjutant general,

Division of the south.

Revolutionary Speeches, &c.

The much esteemed editor of the *Essex Register* speaks of our intended publication in the following handsome terms. Indeed, our attempt is well spoken of every where, and we are grateful for the interest which it has excited.

In 1762 appeared at Rome a dissertation upon the goddess of liberty. It had every decoration of the press, an illustration from the coins which refer to that goddess. It is introduced with the gem of Brutus, and appears under the authority which could justify its publication. The work was produced from a request to give an explanation of the badge of Roman freedom, which the slave wore upon his head after his freedom from slavery, and when he assumed the name of a freed-man. Slavery is pronounced as unknown to man. Liberty is entire till by some consent it takes laws from man and society. There is a part of it which can never be renounced. A Roman did not admit that man could consent to be a slave. The Romans allowed not that a freeman could be sold, even in the sense in which the Hebrews in the east, and the Germans in the west, ad-

mitted slavery. The freedom of Grecian cities involved no foreign jurisdiction, not even an acknowledgment of Roman power. That liberty should become an object of worship may be conceived, when it was the representation of the best state of man, and that liberty should be called the saviour, is in the spirit of its blessings. Possessed of high honor, its attributes claim a just representation. Every thing must be given to the form, which denotes native excellence and every accomplishment. It has therefore the habits of the best condition of society. As virtue it is veiled, as power it is standing and protected by law, it has all the conveniences and ornaments of home. Its badge is of justice, not to punish but to set free. There is not an emblem of power, of hope, or authority, which liberty is not permitted to bear. And the emperors who did little to preserve it, did not refuse the constant use of the emblem of it. The temple and the worship are well known, but the sentiment comes to us best recommended from Ovid, when he tells us how careful the Romans were to instil the love and the worship into their children. He tells us, that he had his first lessons in the hall of liberty. The laws which must agree with the high sense of liberty, must speak the dignity of the privilege derived from nature only. The discussions on the subject discover the interest in it, and open to us the most valuable part of Roman history. The freedom which the laws gave to the Romans, had every expression of the value of it in the forms which the Romans invented to convey it to those who had the privileges of Roman citizens. The badge which the freed-man wore, was opposed to the primitive manners of a Roman. Uncovered, he was able to support the heat of day, and the roughness of his path. The emblem of freedom spoke that it was not attained. The freed man might covet the habits of freedom, while he enjoyed the privilege. Time made that a form, which was once inwrought into the history of public manners, but it has done more for us. Liberty lives in every part of the globe, and refuses to be violated by any human institutions. It confesses its obligations to united effort, and therefore pays its due honor to human associations. It teaches to give up the form each man may ask, for the good which all can bestow. It has no temple but in nature, no home but where life is found, and has no laws to which it does not consent. It finds better associations and better accommodations, but it has its hopes from virtue and God. We have no forms of veneration for liberty, but such as teach us to understand and enjoy it. And we know no offering that can be more acceptable, than that which our patriots are ready to make, in preserving the history of public virtue, by which liberty has been offered to our possession. Among the rich gifts, we must declare that to be one, which the editor of the *Weekly Register*, Mr. Niles, of Baltimore, has promised us. He long since announced a collection which is to contain a volume of speeches, orations, and papers, which appeared in our revolution, containing the noble efforts of the minds of men struggling for liberty. He has now determined to perform his promise. He has for years been engaged in the collection, and the ample proofs of his industry and ability render us impatient for its publication. By the frequent and familiar use of such documents we have the elements of virtue preserved. The worship of the goddess degenerated from its primitive simplicity, and they who contributed little to her honor were proud of her name, and multiplied the emblems of her worship. Many coins bore the inscription after the enjoyment of liberty had ceased. But the language of

our patriots remains the same. It will inspire the same thoughts, it will assist the best education, and will be the companion of our solitary as well as social hours. We know more of Grecian and Roman liberty from the works which the Grecians and Romans have left us, than from all the partial efforts which their greatness has produced. Mr. Niles has instructed us in the use of the volume he has prepared for us.—He says,—“Believing that the simplicity of truth, as held forth by those who devised the salvation of our country, has been widely departed from, no effort, on our part, shall be wanting to encourage a spirit to seek after, and hold on to, principles essential to liberty, under an assurance that vigilance is the condition on which freedom has been granted us.” In consent with this purpose have been the many histories of our revolution, and the many contributions by associations of men, for the knowledge of the various occurrences in our country, which do honor to our public resolutions, and to the private actions of our citizens. One of our political fathers has already declared that the many valuable documents, which might have been supplied for public instruction, continue to disappear, and that, if not arrested in their course to destruction, must soon be lost forever. It is a question for our pride, whether we have discovered the enthusiasm we owe to so good a cause. If all our citizens cannot contribute to the collections, may not many of them give the aid of their encouragement to every design which has for its object the means to inform of our true history, and of our generous achievements. If we have not the ancient superstition, may we not have the ancient enthusiasm. If we have not our altars, may we not preserve the reverence we owe to our liberty. We see how hard it is to recover liberty when lost. We have before us the distress of nations and the vain struggles in an age of corruption. With the records of our faith, let us unite the records of our institutions. Thus have ancient legislators preserved the hopes of posterity. And the greatest nations give us lessons, when their glory has ceased.

The Missouri Question.

PUBLIC MEETING RESPECTING SLAVERY.

At a large and respectable meeting of the citizens of the state of New-Jersey, held at the state-house in Trenton, the 29th of October, 1819, for the purpose of taking into consideration the subject of slavery in states hereafter to be admitted into the union, pursuant to public notice—

The honorable JESSE UPSON, vice-president of the state, was appointed *chairman*, and WILLIAM GRIFFITH, esq. *secretary*.

The meeting, after due consideration and discussion, *unanimously* adopted the following preamble and resolutions:—

Whereas the *abolition of slavery* in this country, and, most especially, the prevention of the importation of *slaves* into it, are not only the anxious and ardent desires of the just and humane citizens of the United States, but, in truth, important objects of national policy, happiness and security; and whereas the early, continued, and strenuous efforts of the people of the United States to accomplish these great and interesting objects, have highly exalted their character in the estimation of the world, and must be acceptable to the God and Creator of mankind—This meeting would view, with unspeakable pain and mortification, any measure adopted by the *federal legislature*, tending to extend and perpetuate *slavery* among us; and holding out encouragement

and temptation to the dealers in human flesh to continue their infamous trade, in defiance of the laws of the land, and the more sacred will of Heaven—Therefore

Resolved, That in the opinion of this meeting the permission of slaves in the *new states*, admitted into the union, has a direct tendency to perpetuate slavery in these United States, by extending the sphere of its influence and action; to increase its danger by spreading that species of population over the land; and to promote and encourage the importation of slaves by providing an extensive and growing market for them, in which the demand and competition for the purchase of them, will be such as so greatly to enhance their price, that evil and avaricious men will be tempted to run all hazards of the violation of our laws, by the prospect of the enormous gains of this horrible traffic.

Resolved, That the members of the late congress who opposed the admission of slaves into the proposed state of Missouri, have the sincere and respectful thanks of this meeting for their manly and unanswerable opposition to a measure fraught with so much mischief and disgrace to our country.

Resolved, That the senators and representatives of New-Jersey, in the next congress, be most earnestly and respectfully solicited to use their utmost means and influence to prevent the introduction of *slavery* into Missouri, and every other new state that may be hereafter admitted into the union.

Resolved, That in the opinion of this meeting the prohibition of slaves in the new states, coming into the union, is not forbidden by any article of the constitution of the United States; but is in full accordance with the principles of the constitution; and imperiously demanded by the honor and interests of the country.

Resolved, That this meeting has a sincere and respectful confidence in the good and virtuous dispositions of the national legislature on the subject of slavery: and that, however some of the members may be compelled by circumstances to submit to it for the present, they will heartily unite with us in every measure calculated to arrest its progress, and, finally, extinguish its existence.

Resolved, That Elias Boudinot, Joseph Hopkinson, William Newbold, rev. Simon Wilmur, James Parker, and Samuel Enilen, be a committee to correspond with other persons and bodies engaged in supporting the principles of the foregoing resolutions, and to use all lawful and proper means for effecting the object of the same.

Resolved, That the proceedings of this meeting be signed by the chairman and secretary, and be published in the *Trenton Federalist* and *True American*.

Signed, JESSE UPSON, *Chairman*.

WILLIAM GRIFFITH, *secretary*.

On motion—*Resolved*—unanimously, That the thanks of this meeting be presented to the honorable Jesse Upson, esq. for the highly satisfactory manner in which he has performed the duties of chairman.

Foreign Articles.

In the Magnet, which arrived at Liverpool from New York, there were not less than 160 passengers, who had emigrated during the last and present year, and who have now returned to their native country, says a Liverpool paper.

The two aeronauts, Messrs. Sadler and Livingston, had returned to Liverpool. It is computed that they travelled 110 miles in a lineal direction, and with the undulations and aberrations at least

170 miles, in the space of two hours and 50 minutes. At a height of nearly two miles from the earth, they took their refreshments, and drank the health of their sovereign. Their highest elevation is computed to be four miles and an half—the thermometer ranged about 38.

Three actions for *crim. con.* are announced for the November term, in which the officers of the life guards stand conspicuous.—In the first, the parties are the lady of a viscount, heir apparent to an earldom, and a lieutenant in the army. In the second, capt. P. of the life guards, and Mrs. W. the wife of a lieutenant—the two lovers are off to France; and in the third, Mrs. H. the wife of an officer, formerly of the life guards, with an half-pay officer. In this last case, in which the lady resided at Seven-oaks, in Kent, the husband arrived most *mal-a-propos*, and caught the lovers in bed, and gave them a sound thrashing. [These are the *manners* of the "Corinthian capitals" of society!]

At a meeting of reformers on Armley hill, Mr. Willan in the middle of his speech, drank a cup of wormwood tea, and said that though it contained no sugar, he found it sweet, because it was *untaxed*.

The *Liverpool* meeting, as before observed, was a very dignified assembly of the people. At this meeting, Mr. W. Rathbone addressed his townsmen as follows—I rise with diffidence to address you; but whenever your rights and liberties are in jeopardy, there will always, I trust, be one of the name of Rathbone to come forward. When humanity is the topic which engages our attention, let us not go into any other. Gentlemen, the object of the petition is to call for investigation. We have not yet all the facts before us; let us not therefore prejudge the business. Let us rely on the laws of the country for redress. If they do not give it us, it will then be time enough to look for it elsewhere.

The *Litchfield Mercury* gives a dreadful picture of the state of society and feeling in Manchester. Among other facts it states, that the corps of yeomanry, who rode over and cut down their fellow-citizens, will be broken up, and that "lists of the corps, containing the exact names and residences of all the members of it, with their rank, are printed and hawked about the town, and sold at a halfpenny each." Such a state of things cannot continue long. It is not confined to Manchester, for the *Morning Chronicle* expressly says "that the same spirit of dissatisfaction pervades all the manufacturing districts."

London sheriffs. A good deal of altercation took place at the swearing in of the sheriffs—aldermen Rothwell and Parkins each claimed the precedence, but the former succeeded in obtaining it. They then differed as to the under sheriffs and separated without agreeing on the subject. Rothwell appears to be a ministerialist and Parkins a reformist.

The press gangs! A London paper of Sept. 28, says—We have heard from a respectable correspondent, who professes to have no doubt of the correctness of his information, that there was a hot press at Woolwich yesterday, and that, by an arrangement with the *lord mayor*, gangs are to be in the city this day. We now content ourselves with barely stating what we have heard; it would be premature, at present, to make any comment. [Subsequent dates mention nothing of such sovereign acts of tyranny.]

Liverpool Oct. 2.—At the meeting on Wednesday, in Clayton Square, at which lord Sefton presided, the following petition was carried amid loud acclamations.

To his royal highness the prince regent.
"May it please your royal highness,

The undersigned inhabitants of the town and neighborhood of Liverpool; humbly beg leave to approach your royal highness for the purpose of earnestly soliciting your royal highness to direct your most vigilant attention to the transactions that have taken place at Manchester on, and subsequently to the 16th of Aug. last, transactions, which, in the view of your petitioners, have a character of violence and outrage unknown to the modern periods of British history and with respect to which they believe, from the answer which your royal highness was lately advised to give to the common council of London, that the full truth has not yet been suffered to reach the throne.

Of the expediency of holding a public meeting constituted like that which took place at Manchester on the 16th of August, many of your petitioners entertain doubts; but that it was legally convened, they are all convinced, and in this opinion they are confirmed by the fact, that a meeting intended previously to be held in that town having been declared illegal by the magistrates, was therefore abandoned; but no such declaration was made by the constituted authorities as to the meeting of the 16th.

And yet the meeting in question was dispersed by an armed force, who fell upon an unsuspecting multitude, and indiscriminately killed and wounded special constables and the populace, man, woman and child.

This armed force was sent into the assembled multitude, for the avowed purpose of executing a warrant against certain individuals. Your petitioners would humbly submit it as an important subject for your royal highness' consideration that, previously to this obviously perilous measure, no trial was made whether the civil power was competent to the arrest of the accused, that blood was drawn before the cavalry penetrated the crowd; and that when the parties accused had quietly surrendered themselves, the onset was continued on the meeting: the consequence of which has been, that nearly four hundred of his majesty's people have been wounded, many of them severely, and that six have died of the wounds which were then inflicted on them.

Atrocious as these proceedings appear to your petitioners to be, they humbly beg leave to represent to your royal highness, that their feelings of sorrow and indignation on this occasion are aggravated by the systematic opposition to inquiry into them, which seems to have been entered into by certain of the constituted authorities in this country. Your petitioners take this method of informing your royal highness that inquests on the dead have been held without adequate inquiry; that attempts have been made to exclude the public from the coroner's court; that when witnesses have attended to bear testimony to the share which individuals have had in the proceedings of the 16th Aug. an inquest has been twice adjourned, to the great hindrance of justice, that the magistrates of Manchester have refused to take depositions against persons accused of feloniously cutting and stabbing, and that the grand jury of the county has, as your petitioners have been informed, thrown out several bills preferred against certain of the Manchester Yeomanry, when supported by oaths of the wounded and other witnesses.

With these facts before them, your petitioners cannot but feel indignant at the conduct of your royal highness' ministers, who, upon the mere report of parties deeply implicated in these transac-

tions; and without instituting any inquiry, profess to have procured from your royal highness an approval of transactions, which we are persuaded, when fully developed, will be found to be abhorrent to the feelings of every illustrious descendant of the illustrious house of Brunswick.

Impressed by these considerations, your petitioners, humbly but earnestly implore your royal highness, either by summoning your parliament for the purpose of immediate investigation, or by any other such means as may suggest themselves to your royal highness' wisdom, speedily to institute a strict and efficient enquiry into the occurrences which took place at Manchester, on and subsequent to the 16th August last; and this inquiry they are persuaded, can alone soothe the resentment and allay the agitation which now unhappily pervade this country.

The royalty of Englishmen consists in a rational attachment to their sovereign and to the laws of their country, and your petitioners anxiously hope that your royal highness, by graciously interfering on this solemn occasion to promote an appeal to those laws will obtain for yourself the blessings of a grateful people.

FRANCE.

The late elections in France.—The Paris papers of Friday reached us yesterday. The Gazette de France, and the Journal des Debats, give loose to the most gloomy forebodings, with respect to the future state of France. The former expresses an opinion, that, "if the spirit which presided at the elections, passes into the chamber, there is no doubt but the municipal system, to be discussed this year, will have for its object to overthrow royal authority and property, and to place power in the hands of provincial revolutionists. We shall see at the head of the police, persons who will endeavor to gain the good will of their constituents, by attacks upon the throne and priesthood, and by taking vengeance on the men of 1815." The Journal des Debats continues in the same strain, and says, "While the present law continues, elections will become more and more hostile to the house of Bourbon." *London paper Oct. 2.*

GERMANY.

Intelligence from Hamburg to the 25th of September, had been received in London, from which it appears, that a general confederation was to assemble in Vienna on the 30th of September. Another levy of 80,000 men had been ordered for the Austrian service—4,000 horses had arrived from Holstein for the heavy cavalry.

A monument is to be erected to the memory of prince Blucher, to be guarded by two invalids.

WEST INDIES.

Another very severe hurricane has been felt in the West Indies—most severely at Barbadoes, Grenada and other windward islands, and the ravages were as great as those we have hitherto described in other islands. The weather at sea during the latter part of October to the middle of November, has been so smoky and thick that it was with difficulty the sun could be seen—the smoke of wood could be distinctly smelt, and at times quantities of dead fish were observed floating on the water.

A late Jamaica paper mentions, that one of the heaviest rains ever remembered, fell in the town of Falmouth, Jam. on the 10th of September. It was ascertained by a rain gauge, that the quantity which fell in *fifty five minutes*, was no less than *eleven inches and three quarters*.

CANADA.

Military preparations.—Several rumors on this

subject have ran the round of American papers during the summer past. The following remarks, from a Quebec paper, of the 28th ult. will put these rumors at rest for the present:—"Not a soldier has arrived here this season, except the usual recruits to keep up the few corps in the country, to the peace establishment. There only arrived this season the York Chasseurs, who were disbanded on their arrival. The visit of the late governor to the Upper-Province, it is well known, was more with a view to internal improvement, than for military purposes. It is impossible to tell what might be the consequences of a violent taking possession of the Floridas by the United States, what may be the guarantees of any existing treaties between Great Britain and Spain: but there is nothing in this part of the world, that indicates even a thought of an approaching war with the United States, on the part of the British government.

SOUTH AMERICA.

The armed brig *Wilson* under the Venezuelan flag, has been seized at Norfolk and libelled for a violation of the revenue laws.

It appears that Lord Cochrane's chief prize was \$142,000 the proceeds of the cargo of the brig Macedonian of Boston, and owned by many persons in that place, which he seized on shore, in the port of Guerniez, near Lima. The Macedonian was bound to Canton. A paper was found, it is said, signed by the Philippine company, who had bought the cargo, stating that the money was at the risque of the purchasers until on board; and it is further stated that the captain of the Macedonian, when on board of the O'Higgins, signed a document renouncing his claims to the money. 62,000 dollars were also taken from a French brig called the *Gazella*, said to have been put on board of her by a clerk of the Philippine co. the captain of which certified to the fact and was released. The money was immediately distributed among the crews of the squadron, without condemnation.

The opposing account makes out the acts of Cochrane, in respect to the Macedonian, to be a sheer piracy; and that her captain was compelled to sign the certificate which his lordship dictated, after being long held a close prisoner, and on his being released he protested against all the proceedings, and has sent home documents to prove that the money was *bona fide* American property—which have been forwarded to Washington.

Amy's squadron, styled "a flotilla in the service of Buenos Ayres," is reported to consist of 12 vessels—4 brigs, 7 schooners and 1 Felucca. The heaviest carrying 11 guns and 120 men, the lightest 2 guns and 25 men. In all 63 guns and 890 men.

McGregor's expedition. We have a dismal account of the fate of those Europeans who came out to join McGregor. The most of them have perished by poverty and disease, and the rest have suffered beyond description: He himself seems to have been quite undisturbed by the disasters that he has brought on others. We believe he is not in the employ of or recognized by any of the independent governments. Yet vessels are cruising under his commissions. He has but 40 or 50 persons in all attached to him, yet he has instituted an order of knighthood, and issued a proclamation calling himself "his excellency, captain general of the land and naval forces of New-Grenada, and representative *ad interim* of the civil authority!" announcing his design to make a descent on a certain place which can be taken by 30 men, &c.

CHRONICLE.

Theatrical bounty. The managers of the Philadelphia and Baltimore theatres, now performing at the former, lately gave a night for the benefit of the poor of the latter, in consequence of the disease with which we have been afflicted—the product was \$130 clear of expenses. Messrs. Warren and Wood say that it was “the second best night of the season.” The money has been paid to the treasurer of the Second Dispensary.

Foreign ministers. M. de Neuville, minister from France, has not left the United States, as he had prepared to do, but received counter orders and is now at Washington—as are also M. Poletica, minister of Russia, and baron Stackelberg, charge des affaires of Sweden.

New York. The population of the city of New York, by a late census, is ascertained to be 119,557. The tabular statement shall be published in our next.

Internal navigation. The legislature of Tennessee have unanimously voted an appropriation of \$500,000 for the improvement of the navigation of the rivers of that state.

Med. on the 9th inst. at Selin's Grove, of a typhus fever, *Simon Snyder*, late governor of Pennsylvania. He was a member of the convention of that state when the constitution was adopted, many years speaker of the house of representatives, served the whole constitutional period (9 years) as governor, and in every station exhibited a splendid example of the superiority of practical good sense to those flimsy accomplishments too often thought necessary for men in public offices. He was a firm patriot and an honest man; and has not left behind him, perhaps, a personal enemy except disappointed candidates for office. His zeal during the late war endeared him to the hearts of his countrymen, and posterity will bless him for the judgment and energy he displayed when the *banking mania* broke out in Pennsylvania. Twice did he put his veto on the iniquitous bill; but it finally passed by a majority of two thirds in each branch of the legislature, and became a law without his sanction. He was in the 61st year of his age.

—also, at Northampton, suddenly, *Caleb Strong*, esq. distinguished for having filled many public offices and especially that of governor of Massachusetts during the late war. In private life he sustained an irreproachable character.

—also, at Waterborough, S. C. gen. *Wm. Fishburne*—a soldier of the revolution, much respected and beloved.

—also, in York District, S. C. Mr. *Wm. Henry*, aged 104 years. Though then aged, he took an active part in the revolution, and he had four sons in the army at that time. The loss of this venerable patriarch is tenderly mourned.

—also, in Frederick county, Maryland, *Thomas Sim Lee*, esq. in the 75th year of his age. He was second governor of the state of Maryland, and successor of gov. Johnson, whose decease we lately noticed, and repeatedly served in that office.

—also, in Kent county, Del. *Henry Molleston*, esq. governor elect of that state.

—also, at Port au Prince (Hayti.) the Balland Varrennes, famous for his activity in the French revolution. As he voted for the death of Louis XVI, he was banished from France in 1816.

Southern frontier. A vessel sailed last week from Philadelphia with 200 U. S. troops for St. Mary's.

Sickness on the Mississippi.—A letter from Wilkinson, about 200 miles north of New Orleans, says that the whole of that country is at present very

sickly, among the black as well as the white population. It is said, that there is not a sufficient number of persons in health to attend upon the sick. It is added, that the crops of cotton are remarkably fine, but when, or by whom, it would be gathered, no one can conjecture.

New Orleans. The mortality in the city of New Orleans, during the late season, has been very great. An extract of a letter, published in the *Lexington Monitor*, states that, according to the report given to the mayor, by the sextons, upwards of *twelve hundred* bodies have been deposited in the grave-yards during the last sixty days. This is said to be three times the number that were buried in the same time in 1817.

New Jersey. A proposition to amend the constitution of this state, recently submitted to the people, has been decisively rejected by them. For amendment 1,636; against it 12,635.

Georgia. Gen. John Clark has been elected by the legislature, governor of the state, vice, Mr. Rabun, deceased. The votes were, for gen. Clark 73; for col. Geo. Troup 60. Accounts say that the election “was warm and bitter on both sides.” We do not know why this should have happened. A private letter informs us that “col. T. was supported by the friends of Mr. Crawford;” but we cannot see why *his* friends should have supported or opposed either of the gentlemen.

Fine arts. Messrs. M. Carey and son, of Philadelphia, have issued proposals for publishing a splendid work to be entitled “Picturesque views of American scenery”—to be drawn and painted by Mr. Shaw, engraved by the first artists, and colored by hand so as to resemble the original drawings. Mr. Shaw proposes to visit all the states remarkable for such scenery. The work will be published in 14 numbers, each containing six views, 11 by 15 inches, with occasional vignettes, and typographical descriptions—price of each number \$10.

Mr. Binns' long expected edition of the *Declaration of Independence* is now published. It is truly a splendid work—and no expense has been spared to render the engraving worthy of the subject. Price \$10.

Wilmington, N. C. From 150 to 200 dwellings and stores are said to have been consumed by the late dreadful conflagration at Wilmington, N. C. and the loss is estimated in houses and goods, at a million of dollars. Mr. F. Mac Rae, late a lieutenant in the U. S. army, was killed by the falling of a wall.

Fire in the woods. It is supposed that about 3000 acres of timber have been destroyed by a fire, in the Great Swamp, near Springfield, N. Jersey. It has been burning about five weeks.

Indian gratitude. The following article is copied from the Catskill Recorder.—The first missionary station among the Choctaws, was established in August, 1818, and the school for the instruction of Indian children opened about one year since, under the direction of the rev. Cyrus Kingsbury.—The school now consists of about 40, and the Indians have fallen into this plan of education with great alacrity, and have exhibited a zeal and liberality in support of the school beyond the warmest anticipations of its friends. The following interesting fact, is mentioned in a letter from Mrs. Jewel, wife of one of the assistant missionaries, to her friend in this place:—

“At a late council in this nation, (at which brother Kingsbury was present) the Choctaws acted nobly: Donations were made by them to the amount of thirteen hundred dollars, and eighty cows and calves.—Other liberal donations have been made.”

NILES' WEEKLY REGISTER.

NEW SERIES. No. 13—VOL. V.] BALTIMORE, NOV. 27, 1819. [No. 13—VOL. XVII. WHOLE No. 429

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$3 PER ANNUM, PAYABLE IN ADVANCE.

WANT OF ROOM.—We have not space enough to publish, or record, much more than half of what we would insert in other circumstances, as believed necessary to carry along with us an history of the facts and feelings of the times; and frankly confess ourselves just now too poor to issue gratuitous supplements, as formerly—which, since the establishment of the REGISTER, have cost us several thousand dollars; though our business ought to be more productive than it ever was, for it is always on the increase. So situated, we must do—as well as we can.

THE MISSOURI QUESTION.—The decision to be had at the ensuing session of congress, as to the prohibition of slavery in the projected state of Missouri, for a condition on which it will be received into the union, as we have before observed, is pregnant with more important consequences than any other, perhaps, that can be submitted to the national legislature—inasmuch as the principle thereby to be established is to spread an *acknowledged evil* over a large part of our country, and operate upon posterity for ages on ages. Every person then, whose business it is to act on this occasion, should feel himself awfully impressed with the high responsibility that belongs to his conduct therein.

We now publish two articles on this subject. The first, the proceedings of a very large meeting at New-York, said to have been one of the most respectable, for the virtue and talents therein combined, that ever was held in our country, against the admission of slavery in the proposed new state; and the second, a petition from a Baptist association, to the senate and house of representatives of the United States, in favor thereof. It is probable that we shall revert to these things and examine the subject generally before many weeks, with the hope that we may contribute something towards a dispassionate discussion of this momentous matter.

Since the preceding was written, we have received the proceedings of "one of the largest and most respectable public meetings" ever held in Philadelphia—at which certain resolutions were passed, deprecating the admission of slavery into the Missouri country, which shall be published at length in our next.

STATE CONSTITUTIONS.—It appears from the following, that a praise-worthy attempt is making to obtain correct copies of the constitutions of the several states. A great favor will be conferred upon the people of MARYLAND, if the editors of the *Intelligencer* should succeed in being able to tell us *what our constitution is*. It was at first a batch of political absurdities, and has been so much mended, that we question if there are five men in the state that are able promptly to say what it is. The best copy that has been published is to be found in the appendix to the third volume of the REGISTER, see page 456; wherein, as the altered parts or those stricken out are marked by *italics*, and the amendments with the amendments to the amendments, added, a tolerable *guess* may be generally formed of what it is—but it is, in part, guess-work at last; or, at any rate, only to be discovered by profound research and examination. This is no metaphor. It is plain truth.

VOL. XVII.—13.

The editors of the *National Intelligencer* took the liberty, a few weeks ago, of addressing a letter to the executive officers of the several states in the union, requesting from them information, for public purposes, whether any, and, if any, what amendments had been made to the constitutions of their respective states. They have received from the following states prompt and satisfactory answers, viz. from *Maryland, Pennsylvania, New-York, New-Jersey, North-Carolina, Ohio, Kentucky, New-Hampshire, Tennessee and Massachusetts*. Fearing that their letters have miscarried, they respectfully request that similar communications may be made to them, as early as convenient, by the executives of the other states.

News from England. We have very late accounts from this oppressed country—see "Foreign Articles." A revolution, wide and desolating—or a despotism, bloody and relentless, is close at hand—the present state of things cannot last. The people appear to be desperate, and the government is loudly called upon for strong measures—to keep down the starving populace with a vigor beyond the law—for which purpose the standing army is to be increased by 20 men to each company, in all 11,600 men; and, by the orders issued, there is no doubt that a civil war is looked upon as a probable event.

The old whig party, of which lord Erskine may be considered as the head, is generally opposed to the "reformers," though some of them, earl Fitzwilliam for example, has united with them. Erskine has taken up his pen in defence of the whigs against certain charges preferred against them by the "friends of reform." He also deprecates the assemblings of the people.

We believe that before this time a decisive blow has been struck in England; but the contest cannot soon terminate, unless the government party is strong enough to ride over the people, at large, as the cavalry did at Manchester; and much will depend upon the side that shall be taken by the army and navy.

Equalization of exchange! We have heard a curious account of the present practice of some of the branches of the bank of the United States to equalize the exchange!—about which we expect to say something next week, when we may also make some remarks upon the report signed "William Drayton, chairman" and the *prospect of dividends, and so forth*.

SPAIN.—The United States' ship *Hornet* arrived at Cadiz in 23 days—but, on account of the prevalence of the yellow-fever there, proceeded to Gibraltar, from whence the captain immediately went to Madrid with his despatches for Mr. Forsyth.

The *Aurora* contains a curious account of a session of the council of state at Madrid, held on the 24th of August last. The duke of San Fernando, it appears, had been appointed an ambassador to the U. States; but he objected to serving in that capacity on account of his high rank, which might be offended by a refusal to receive him—and it seemed to be agreed that no one would be appointed until

the views of the American government were ascertained. The duke has been appointed first secretary of state, vice Don Salmon, appointed minister to Saxony.

A London paper contains the following article—*"Iron, Spain, Sept. 18.*—With regard to the Florida treaty, some new facts come out daily. Among other extraordinary circumstances, the Spanish minister required of Mr. Forsyth a categorical answer, whether or not he was authorised, in case his Catholic majesty agreed to ratify the treaty, to annex thereto a new article, in which the United States would pledge themselves not to acknowledge the independence of Buenos Ayres. It is understood that the American plenipotentiary readily answered, that, although his instructions gave him no powers to enter into new articles, but merely to urge the ratification of an instrument that already wore a perfect and official form; yet, nevertheless, he felt himself perfectly authorised to say, in the name of his government, that such a proposition was totally inadmissible. He further added, that his impressions were, that the United States would recognize the independence of Buenos Ayres, or any other of the free sections of South America, which had sufficient strength and stability to warrant such recognition; and the line of policy, with regard to the new states of South America, was totally independent of existing relations with Spain. He further informed king Ferdinand's ministers, that nothing but a desire to evince to the world the amicable disposition of the United States, had prevented him from withdrawing from Madrid the instant it was notified to him the ratification would not take place—adding that, in this spirit of forbearance, he should await the final instructions of his government; which he hoped to receive before the end of September. At the close of this interesting and spirited communication, Mr. Forsyth assured the Spanish cabinet, that they were not, henceforward, to consider any one of the conditions of the treaty as binding on the United States."

The *Norfolk Herald* says—Conjecture has wearied itself in attempts to discover something like a rational motive for Ferdinand's rejection of the treaty. For our own part we have, from the first, suspected the influence of a *third power* as the cause—the silence and apparent unconcern of our own government upon the subject to the contrary notwithstanding. We have just received from a gentleman in Spain, information of a fact which, considering the strong corroborating circumstances in its favor, we cannot discredit, though we would gladly do so:—It is, that Ferdinand was not at liberty to ratify the treaty any more than don Onís was to agree to the cession of Florida—"The Floridas," (so says our information, which, we repeat, does not rest on a slight foundation) *were already ceded to England by secret treaty.*" Our information adds, that this fact "was officially communicated to the department of state at Washington." From many other circumstances which have come to our knowledge, (it is unnecessary to say by what means) we do not hesitate to give it as our opinion, that, although it may be the fact that considerable grants of Florida lands have been made by the king of Spain to the duke of Allagon and others, which were not guaranteed by the treaty, and although the treaty has met with all the opposition from the grantees which they or their friends could raise, yet the rejection of the treaty is not ascribed to that influence—*British intrigue* is known to be the primary cause—the great obstacle to its ratification.

The same paper adds—It is said that Mr. Forsyth

has made a peremptory demand, on behalf of his government, for a considerable number of American prisoners in Spanish prisons, who did not enter into the patriot service, but were trepanned by designing officers, under false pretences; and that he has required a statement of charges against others.

Our relations with Spain.—We are not "authorised to say," neither have we a right to begin a paragraph with "it is understood," as the manner is—but we have some reasons to believe that the following is about the condition of our relations with Spain:

Mr. Forsyth has been instructed to say to the Spanish government, that if even yet the treaty was ratified, so that it might be returned before the meeting of congress, or *very* speedily after the commencement of the session, the president would receive it as though it had been ratified within the period of its limitation; that if this was not acceded to, the president would submit the whole affair to the national legislature to ascertain whether, according to the principles of the laws of nations and the right of contracts, Spain may not be compelled to abide by the act of her minister, whose *full powers* in this case, it is presumed, will not be denied—for, it is said, they were carefully examined before the late negotiation was opened; to give the Spanish ministers to understand, that if the United States were forced to do themselves an act of justice, by taking possession of the Floridas, they would consider that country as hypothecated in *partial* satisfaction for claims of indemnity against Spain, and take their own time and way for settling the balance.

See "Postscript," in last page 208.

Cuba.—A Liverpool paper, of the 9th Oct. says—Accounts from Madrid, of the 8th of last month, mention that the English government has revived its proposal to the court of Spain, to obtain, upon certain conditions, the cession of the island of Cuba, which appears to place the Spanish ministry in a situation, which is the more embarrassing as the inhabitants of that rich colony seem resolved to defend their liberty by force of arms, rather than submit to the power of Great Britain. The correspondence between London and Madrid is extremely active at this moment, which seems to indicate that highly important negotiations are on foot, but they are involved in mystery, and we must wait with patience till time shall discover the secret.

GEN. MITCHELL has plead to the charges preferred against him in the Georgia Journal, through the columns of that paper. He attacks gen. Clarke, now governor of the state, as being at the bottom of the accusations against him, in very severe language. He denies the receipt of the letters said to have been written by William Bowen, and positively asserts that he has had no agency, direct or indirect, in the purchase or introduction of African slaves—and adds, "I do not hesitate to declare that the man who has, or shall, say to the contrary, is an infamous liar and a scoundrel!"

Manufactures. The following paragraphs from the *Village Record*, have uncommon point:

The great question seems to be—Will the protection of manufactures, until they prosper, injure the farmer?

Let us examine the probable effects in our own neighborhood. Suppose 25 per cent. added to the present duties upon those articles which can be manufactured upon the Brandywine.—Some hundreds of persons would immediately be placed in

active and useful employment, who now earn little or nothing. What a ready market would be opened to our flour, beef, pork, butter, cheese, and wool. How briskly money would circulate!—Is there any one can doubt but that the farmers of Chester and Delaware [counties] would feel the change beneficially?

Take the same supposition with respect to iron. Imagine all the furnaces in Lancaster and Berks, and all the forges, rolling and slitting mills in this and the neighboring counties, in active operation. Bless my heart, what a clatter!—The farmer, to be sure, would have to pay a penny more for a horse shoe; but in return he would get a shilling a bushel more for his wheat!—Who then is the loser.

March of the United States.

It would be in vain to attempt a description of our feelings, when the "mind's eye" sweeps over the rich and extensive territory of the republic, and marks the progress of civilization and improvement—and when, from the past, an estimate is made of the future. Political economists of the old school, forming their opinions of *man* as he presents himself degraded by a regal government, and in countries whose population has nearly advanced to the means of subsistence afforded, (the cost of supporting their kingly and priestly establishments being abstracted from the products of the people), are lost in astonishment when they apply their *rules* to the United States, inhabited by a free people and capable of furnishing the comforts of life for an hundred millions of men, under a wise administration of their concerns.

In some parts of Europe, it is a subject of boasting among the laboring classes, that they are located as their great-grand fathers were, and follow the same business, in a dull monotony of servitude and shame. There is nothing that more abundantly shews the debasing character of a monarchical government than this; for it convinces us that the hope of a better condition is lost: that to grow up, to live, and to perish, like a beast of burthen, is all that is aspired to! But *here*, he whose grand father or father was a tenant at will, or a laborer of the meanest grade, (if any useful employment can be regarded so), may possess a tract of land as valuable as a German principality, and till it for himself, or otherwise arrive at the highest state of respectability and independence—filling the most dignified offices, and occupying a front rank in society. These things do not arise from the unsteadiness of our systems, which elevate one and depress another—as in England, for instance, where the making of one man rich sends thousands to the poor-house; but from the steady advance of population and wealth, through improvement, subjecting the wilderness to the plough. The force of these principles has never been estimated as it ought. It is of incalculable importance; a blessing that should lead us to cleave to our country and its republican institutions, as containing all that is nearest or dearest to us for ourselves and our children. It is no matter, in a grand estimation of the march of the United States, that we are at present harrassed by a mistaken policy, and that productive industry is brought to a pause—for, if the good sense of the people does not "correct the procedure," their *necessities* will compel a different course, and then we shall prosper as heretofore, after having uselessly sacrificed to folly many times the amount of what would pay off our national debt.

But to return from this digression to the rapid

view we mentally take of the present condition and prospects of our country. Now the imagination travels the Atlantic coast, and measures the capacity of the numerous bays and rivers, which, like the arteries and veins of the human system, bring their stores of water to, and receive supplies from, the "great deep," as from the heart and seat of vitality.

We stop at certain points, famous in story for acts of arms, or celebrated as places of commerce, teeming with men, and communicating with the most distant regions of the earth. While some, with little more ceremony than if starting on a party of pleasure, take leave of their families to pursue the whale in the high latitudes of the Pacific, others penetrate the Indian ocean by another route, and bear the stripes and stars of our country into the rich ports of Asia. We make an interesting stand at Florida and glance at Cuba adjacent, to estimate the vast importance of the trade that must pass between those two points, and calculate the consequences likely to flow from a mastery of them. Reaching the Mexican gulf, we naturally stop at the Mississippi to look up the father of rivers, and trace its course. On the one hand we behold it penetrating the Alleghanies, and on the other reaching the Rocky mountains, and in the north so nearly uniting itself to the great lakes as to assure us that it will one day become a channel for introducing the product of their shores to the market of the world—and its valley contains a territory adequate to the support of an hundred millions of mankind; in every direction intersected with powerful streams to facilitate commerce between all its parts, or give vent to its surplus for the supply of nations, by the aid of "unconquered steam." Then resting for a moment as it were on the Rocky mountains, we see the great Columbia leading to the Pacific, at whose mouth the imagination easily builds up a large city, like another New-Orleans, to become the emporium of a vast trade with the interior, now inhabited only by wandering tribes of Indians. On the northern boundary, we travel through the inland seas of Superior, Michigan, Huron and Erie, and behold large ships proceeding to and returning from distant voyages, freighted with rich commodities, the products of countries as yet hardly trodden by civilized men; and see ports and places of commerce, and dock-yards, rising up as by magic to enliven the view. At Erie, we halt to look at the late hostile squadrons, and to recollect the wild amaze of the savage when he beheld the lake, but as yesterday only navigated by his canoe, whitened with the canvas of ships in terrible array against each other, and vomiting thunder and flame. At the bottom of this lake, we gladly stop to see how its accumulated waters are hurled down the vast cataract of Niagara, or contemplate their more gentle exit by the grand canal now making, which is to conduct them by a new channel towards the Atlantic, and cause New-York to become the greatest seat of commerce in the world; by which the remotest waters of Superior will made tributaries of trade, and lend their aid to improvement. We look at Ontario with wonder; its waters are burthened with ships of the line, and our shore of the lake, an almost uninterrupted wilderness in 1812, already yields to cultivation. The forest has disappeared before the axe of the husbandman, and the busy hum of men succeeds the whoop of the solitary Indian. From hence we take a glance at the comparatively small lake Champlain, a seat also of naval glory, whose waters are just now about to be mixed for the first time, with those of the majestic Hudson and the sea.

When we recollect the past, extravagant anticipations, as some would regard them, are tempered by the facts which we ourselves have seen. We have briefly alluded to the march of improvement in New York. A cattle shew and fair of the agricultural society of Jefferson county was lately held, at which major gen. Brown, senior officer of the army of the United States, pronounced a highly interesting address, from which we shall give some extracts hereafter. A large concourse of people were present; and he said his mind "reverted to that period when he who spoke in this place, could have found no hearers." It is less than 20 years since the general himself penetrated the forest with several day's provision on his back, and seated himself in what is now called Jefferson county, where a thousand husbandmen and artisans can be called together by the roll of a drum.

But looking to the west and south, what do we behold! Only 30 years ago, the heart of Pennsylvania was regarded as the "back woods," and it is about that period since the first settlements were made in Ohio,* a state now containing half a million of freemen having two other states further west, and a third ready to start into sovereignty! Then we have Kentucky, Tennessee, Louisiana, Mississippi and Alabama, on the south of the Ohio, added to the confederacy of states in the same time!—either of which in point of territory might make a kingdom in Europe, and all of which are prospering beyond anything that Europe ever witnessed.

It is less than 40 years since we became an acknowledged nation, with a population of a little more than two millions, chiefly located along the Atlantic coast, with conflicting prejudices and policies. We now have probably ten millions of people, and countries almost a thousand miles from the seaboard, have their cities and abound with civilized men, possessed of a common feeling and alike devoted to the interests of the great whole! Who can tell what the next 40 years may bring forth? The man who lives to see that period, provided the people of the United States remain faithful to themselves, (and why should they not?) will behold the republic still marching onward to power as rapidly as ever, though then able to say to restless nations, *NE STILL!*

Here it is that the mind of the patriot reposes with delight—let others find pleasure in detailing what they have been, we have cause to exult in what we are, and to be proud of what we shall be. Not proud to offend, but of an ability to maintain the dignity of the human race against confederated kings.

British Emigration.

Noli me tangere laccasi: impune.

The following very neat article is copied from a late number of the London "Sun." It truly exhibits a "London" sun—"lost in the fog," or seen dimly, perchance, half an hour in a week!

As the modest gentlemen who conduct the *Quarterly* and *Edinburg Reviews*, find so much perfection in all that is English and Scotch (though one half of their countrymen cannot understand the lan-

*In 1792 a house for a church was put together at Cincinnati, and the people, when attending for worship, were compelled to take fire arms with them, to defend themselves against the Indians! This city now contains more than 10,000 inhabitants—occupying as dwellings stores, &c. 1899 houses; some of which, as well as the public buildings, deserve to be called magnificent.

guage of the other half, on account of its barbarisms), that if it were not for abusing the people of the United States, and all that appertains to us, they would be at a loss for "stuff" enough to fill up their pamphlets, we have added a few notes, on which we expect they will favor us with a wire-drawn criticism of 50 or 60 pages, for the edification of their readers!

EMIGRATION.

FROM THE LONDON SUN.

The lower classes, and not a few among the higher, of our agriculturists and artificers, are in the full tide of emigration. America, by a principle not thoroughly accordant with the international law, receives them all, without hesitation, condition, or enquiry. (a) She avails herself of their resources and their talents, and applies them to her own purposes, without asking or caring whether Britain is thereby prejudiced or not. She becomes the *refugium pauperum et peccatorum*, in utter contempt of the British laws. (b) Sir, I desire you to put to our legislature the question, how long is this unjust and injurious practice to continue? How long is this insidious and undermining destruction of our welfare to be permitted? The miscreant who violates our laws, no matter how deep the stain of his guilt, finds in America a sure protection; the malcontent, who hates our ordinances, finds in America a willing entertainment. The agriculture of that rival state,—for rival she ever will be, with as much, at least, of inveterate envy as of honorable competition,—her manufactures, and her arts, are to be promoted by the drain of British population; and we passively look on, while our subjects are speeding from their native soil by ship-loads, to enrich a foreign country,—a country with which we have not one common interest nor one common feeling,—a country with which we have had three wars in forty years,—a country with which we have no perpetuity of peace. (c)

Sir, the artificers from our very dock-yards are, as the newspapers say, transporting themselves to America. It is no longer sufficient that our manufacturers are to give to our—to our competitor at least I may say—the means of working our staple commodities; but our shipwrights are to build her fleets and our sailors are to man them. Nay, in the event of the next war, to man them against ourselves; since, according to the anti-national principle of the new world, an American residence unmakes a British subject, and makes an American citizen. (d)

Are our laws strong enough to prevent this?—If they are let them be enforced—strictly and severely enforced: if they are not, let new laws be enacted, strict and severe enough for the prevention. Since America, while we are at peace with her, will not forbear her sanction of this wrong, surely it is high time for us to prevent it, before we are at war with her. (e)

I know not, sir, if any remonstrance has been made to these modern republicans against their acquirement of resources which do not belong to them. But this I will insist, that the property, the population, and the skill of every state belong to itself alone, and that no other state is privileged to acquire them. There is an old proverb—if there were no receivers, there could be no —; but I will not urge its interference farther than to say, that, if their was no entertainment abroad, there could be no emigration from home. (f)

Perhaps, however, we are superabundant in the goods of the world—too populous, too industrious, too wealthy, too strong, too scientific; and perhaps it is absolutely necessary to cure our plethora by

exporting so troublesome an overplus of population, of industry, of wealth, of strength, and of science. Perhaps so. But, happening to have a Botany-Bay of our own, may we not as well send our waste stock there, as to the Botany-Bay of our ancestors? (5)

HOME.

NOTES BY THE EDITOR OF THE REGISTER.

(a) The writer is either ignorant of the usages of his country, or, like a true *John Bull* and his friends in the United States, thinks it reasonable and rightful that Britain should do unto other nations what they may not lawfully do unto her! We are only charged with the crime of "receiving" those persons who voluntarily come to us; but England, for centuries, has *enticed, seduced* and FORCED into her country or service, all persons that she believed would be useful to her, so far as she could. The following cases, a few out of many, will serve to elucidate her constant policy in this respect.—Edward III. may be considered as having established the woolen manufacture in England. He inveigled the Flemings from their "legitimate sovereign," and Mortimer, in his "Elements of Commerce," page 16, says—"Very great PRIVILEGES were granted, and FAVORITS were allowed to them by the crown, until they should be able to gain a comfortable livelihood by their ingenuity and industry." When France, mad with the spirit of persecution, revoked the edict of Nantz, which caused many of her best and most productive people to leave their country, England not only "received" them, but patronized and encouraged them, for the express purpose of rivalling the silk manufactures of France; and every British historian compliments the reigning sovereign on the wisdom and propriety of his conduct on this occasion. It is only a few years since, that Britain transported from China, at her own expense, as many Chinese as she could seduce from their allegiance, to settle the West Indies, and cultivate the tea-plant, &c. And the worst of it was, she afterwards abandoned them and they have perished! But what shall we say of the *impressment* of American seamen, because Britain "wanted men?" About 5000 of these were discharged from her ships at the breaking out of the late war, some of whom had been held to slavery for 20 years, and then magnanimously treated as prisoners!—and at least 5000 more, in like manner acknowledged to be Americans, were yet detained and forced, under the lash or the terrors of the halter, to do "duty" against their country, and at least serve their country's enemy in arms!!! The day of impressment, with heaven's blessing and our own means, we think is over; yet the worse than *Algerine* usage of our people cannot be forgotten—nay, hardly forgiven. These practices are the steady policy of England—she not only "receives" but *entices* or *rouces* into her service all men that she can make machines of to support her own aggrandizement; and she is as famous all over the world, as her own Barrington was in London for picking-pockets, for *stealing* the inventions of other nations, and applying them to her own benefit—acting also, as if it were right to cheat *outlandish* foreigners of the reputation of discovering them!—We do not invite emigrants to come to us, by offering bounties to them, as the "magnanimous Alexander" the head of "legitimacy," and the king of Brazil, a true *legitimate*, are now doing—we simply receive them, and they are free to pass and repass where they please, if they conform to our laws for preserving the peace. We do not prevent any one, citizen or alien, from leaving our country at discretion; though Britain attaches her population to the soil as negroes and Russian slaves are. We

never enquire whether Britain is "prejudiced or not" by any of these things—*nor do we care whether she is or is not, and that's the truth on't*, as Jonathan would say.

(b) The United States is the "refuge of the paupers and criminals," of Britain, says the enlightened and liberal writer. Certainly, we ought to be thanked for this, not blamed. We receive the classes of population that are most fatal to her interests—and what of that?—do we not deserve credit for making *men* of such miserable materials? But this is the old slang—the ministerial doctrine at the period of our revolution, when *Washington* and *Franklin* were considered as "transported scoundrels," and the whole of us called a "beggarly race of felons." These things are out of *fashion*, and we should be glad if our *enemy* would suffer them to sleep quietly.

(c) Here is as pretty a specimen of invective as a man would wish to meet with in a summer's day, when we love to "keep cool!" The repeated word "rival," fully explains the writer's meaning. It is the *morality* of British loyalty to regard every nation as an enemy who *rivals* her in any thing. Any one that can make a "hob nail" better than she can, becomes *ipso facto* a subject of fearful anxiety and deadly hostility to her! THIS IS NOT A METAPHOR—I believe it to be as true as the gospel. How can we refuse to admire so great *liberality*? But gently, Mr. Bull—whether you are pleased or displeased, we will rival you, at least in our own market, before long; and perhaps in some other things not more agreeable to you: and you may rival us in what you like and in all that you can. What that is fairer than this can we offer to you? But it will not content you.

(d) A nice story this, and easy to be believed by a fool, though disbelieved by the person who made it! We do not want "artificers from British dock-yards." We Yankees are pretty *cise* fellows, and somehow *contrived* to get certain "fir built frigates" that made some *noise* in the world, and on whose *avowed* plan many ships have been added to the "invincible" navy of Britain! Since then, we have also built a few 74's, which have filled all the English officers who have visited them with astonishment, and these also are now *imitating* in the British dock yards! As to the "sailors," here is the old thumping falsehood, told so often that perhaps some Englishmen really believe it! When our frigate the *Guerriere* (so named in remembrance of an accident that occurred to a certain British frigate!) was at Cowes, it was said that of her crew of 475 men, "about three hundred were British born subjects!" We have, or at least had not long ago, more than seventy thousand seamen of our own: and at a time like this, when more than half of these are unemployed, what do we want with British seamen? There is no master of an American vessel, from a 74 down to an oyster boat, who does not prefer his own countrymen, for sailors, to any other people: they are more expert, more daring, and more enterprising. Two remarkable proofs of this may be mentioned. The Spartan 64, would have went to the bottom, in the dreadful gale she encountered off our coast in Sept. 1811, if it had not been for the exertions of 30 or 40 of her crew, who were *impressed* Americans. When "British courage" sunk before the hurricane, the Yankees went aloft and persevered until they saved the ship. This fact was confessed at the time, by the liberation of the *captives*, made in time of peace,—and the affair has been mentioned as a singular act of British generosity!!! And when the Southampton frigate with her

prize, the U. S. brig *Vixen*, were wrecked off the Bahamas in Nov. 1812, it is well known that to the crew of the latter it was chiefly owing that many of the crew of the former did not perish, as sir *James L. Yen* acknowledged, and for which he promised them every preference and accommodation in his power. Added to all this, it is an undeniable truth, though so small a part of the seamen employed in the United States are foreigners by birth, that at least nine tenths of the mutinies and murders committed on board our vessels, are caused by them; and of the persons executed or punished for such things, the same proportion holds good. British seamen, especially, are troublesome to our ship masters, and always require the greatest rigor to keep them to their duty. They pretend to know a little more than every thing, and knowing so much, are too proud to do what they ought. But the fact is, that those who have served on board British ships of war, always having only station or duty assigned them, as *full* seamen are often incompetent, though they may have been at sea from their childhood. These things are notorious. This talk about seamen is like the tale of an ideot twice told." Too simple even to amuse any longer.

But as to the "unmaking" of a British subject and making an American "seaman," let us look at it a little—for these things should not be forgotten. We require five years residence and certain legal forms to entitle a foreigner to citizenship. Possibly, these laws have been abused; but every means has been tried to prevent it. *It is the law*; and the will to execute it must be presumed, unless Britain is disposed to charge our offices with wilful perjury, without an object. But what are the British laws on this head? they are as follows:

Any person who serves two years on board of a British vessel, armed or unarmed—is deemed and taken to be a natural born subject, to all intents and purposes, without any formula of law whatsoever! And all foreign protestants and jews, residing in any of the British American colonies seven years—or being in military service three two years, or engaged in the whale fishery three years, on taking the oath of allegiance, become as natural born subjects, and may fill any office except to sit in parliament or be a privy councillor. Also, any foreigner establishing himself in Great Britain and carrying on the whale fishery five years, is entitled to all the privileges of a natural born subject. [See WEEKLY REGISTER, vol V, page 237, for a statement of these matters more at length].

Now, with these statutes staring Englishmen in the face, we may truly wonder at their impudence in condemning our naturalization laws. If the right to naturalize foreigners exists at all, it rests in the discretion of the sovereign exercising its power, and the time of probation may be 3 days or 30 years, as shall be thought best; and certain privileges be granted to those concerned in the *woolen* or *cotton* manufacture, as well as to seamen and such as are established in the "whale fishery." We wish that the London and Edinburg reviewers, who kindly take the literature and the morals of the world into their keeping; would advert to these things, and give us the *whys* and *wherefores* of them.

(e) As to this, make such laws as you please, Mr. Bull, —do with your "white negroes" what you will to keep them home. Pass acts to put iron collars round their necks, if they attempt to leave your happy island, and hang them for it, if you think it best to do so, and they are fools enough to suffer it. *It is your own affair.* We covet nothing of you, and least of all your manners and customs and habits of thinking.

(f) Well—if the skill and industry "of a state belongs to itself alone"—keep your people and the fruits of their industry and skill *at home*. Do not be travelling all over the world with your wares, smuggling and cheating, and bellowing like a Jew-old-clothes'-man "who'll buy?" Here we agree with you, and are quite willing to pass a law making it a capital offence for an American to use so much as a shirt button, produced by your "skill," if that will satisfy you. Then we should soon see how the balance stood. The blank in this paragraph means *THIEVES*—the United States are the *thieves*! Very well. But the misfortune is, that we rob ourselves by employing British industry. We hope for better times—unless our legislators are as stupid as the editor of the London "*Sun*."

(g) Here we have a very *charitable* conclusion. It is a most severe libel on a "statesman now no more," who looked up to England as the "bulwark of our religion," instead of regarding her as the store-house from whence our rascally selves and our ancestors were transported!!! Generous Englishmen!—It was your bigotry and oppression, your vile priests and the farcical thing which you call the "church," that planted America, and founded an empire destined to restrain your depredations on mankind, and limit your crimes! You are *always* our enemy—would that we, in *like manner*, were yours, for justice and liberality would grow out of a rightful retaliation. Your people want bread, yet you will not receive our flour and grain; and would think it almost an act of war if we were to prohibit the import of your calicoes! But we shall be on a *par* before long, and every attempt on your part to prevent it, will only hasten the "consummation so devoutly to be wished." The glory of the "land of fogs" is departing—and justice is about to seat herself on the eagle-banner of the new world. Perhaps your precious regent, with his ministers and bench of bishops, may take a trip to your "Botany Bay" before they expect it; and we wish them a speedy passage, as the worst of the "waste stock" that has destroyed the happiness of your people at home, and filled the habitable world with rapine and cruelty. A day of fearful retribution will come; and when the patriot shall raise his arm against the oppressor, we stand prepared to cry out, "BUTTRESS STRIKE HOME!"

An Honest Man!

Notwithstanding I may render myself liable to the suspicion of complimenting myself, I cannot refrain from the declaration,—that there is no human being that I respect so much, as a plain unsophisticated honest man: his standing is far above that of princes or presidents. And if there is any thing that I supremely hate, it is the wretch who sits calmly down and coldly calculates a good bargain, a speculation and a fraud on his neighbor; whose eye and ear is open to see and hear of the misfortunes of his fellow men, only that he may take advantage of them. These latter abound—it is the *spirit of trade* to act thus; and the grand nursery of these worst of men has been the paper-system.

Under such feelings we insert with much satisfaction, the following notice and its accompanying remarks from a New Jersey paper, that all may benefit by the examples afforded.

An honest man is the noblest work of God.

We copy with pleasure the following notice of Mr. Bray, from the *Amboy Advertiser* of November 4.

Notice—The subscriber having paid the direct tax, due to the general government for the assessment of the year 1816, on divers lots of land in the county of Somerset, and two years having expired since the sale of the same, which gives him the right to obtain a deed therefor—he gives this public notice to all delinquents, whose tax he has paid, that they shall be privileged to redeem the lots sold for ninety days more. He also notifies non-resident delinquents, whose tax he has paid for property sold by gen. Price, on the 5th May, 1818, that unless they pay the tax on or before the 5th May next, their property, under the act of congress, will become forfeited; those interested will please to avail themselves of this notice.

JOHN BRAY.

New Brunswick, Oct. 23.

It is with no ordinary pleasure we give room to the above article; the more so, as it will tend to allay the fears and restore peace to the bosoms of those poor and uninformed persons whose property has, under the late law of the United States, been wrested from them without their knowledge; and we cannot avoid paying a tribute of respect to that (almost divine) sense of justice which displays itself in this communication, and which is consonant with that elevated sentiment manifested by a celebrated poet, that "An honest man's the noblest work of God."

Bright as this example is, however, we find that it is not singular, for we are well informed that the same correct and honorable principles have been acted upon by Robert Lee, esq. of Rathway, who has in all cases restored the property to the rightful owners, on being reimbursed his *actual expenditure only*. And surely, after such notice, the parties interested will deserve no commiseration if they do not avail themselves of the indulgence proffered.

We hope those two examples will be followed by all others who have become purchasers under the like circumstances, else when their conduct is contrasted with the above, it will (and deservedly too) add to the very strong prejudices which have already existed against them in the community generally.

The Missouri Question.

MEETING TO OPPOSE SLAVERY.

From the N. Y. Evening Post, Nov. 17.

Last evening a general meeting of the citizens, consisting of at least two thousand, was held at the assembly room in the City Hotel, for the purpose of expressing their sentiments on the danger to be apprehended from the toleration of slavery in any new states, or territory, that may be hereafter admitted into the union.

MATTHEW CLARKSON, esq. was called to the chair—and

JOHN T. IRVING, appointed secretary.

The meeting being thus organized, Peter A. Jay, esq. rose and addressed those present in a neat and impressive speech, pointing out, in a feeling manner, the cruelties of slavery, and the evils which would ultimately result to this country, if not prohibited, and concluded by offering a set of resolutions.

He was followed by John T. Irving, esq. on the same side, in a speech which did him great credit. No one rose in opposition, and after the resolutions and address to the American people were read, the meeting adjourned.

The following are the resolutions and address adopted by the meeting.

The existence of slavery in the United States being, in the opinion of this meeting, a great political, as well as moral evil, derogatory to the character of the nation, dangerous to the safety of its inhabitants, and opposed to the benign spirit and principles of the Christian religion, they consider it the solemn duty of the national government, presiding over a people professing a high regard for freedom, and the just rights of men, to prevent, by all constitutional means, the further extension of such an evil in the United States: It is thereupon

Resolved, That, in the opinion of this meeting, congress possess the clear and indisputable power, by the constitution of the United States, to prohibit the admission of slavery into any state or territory hereafter to be formed and admitted into the union.

Resolved, That, in the opinion of this meeting, the admission of slavery into any such state or territory, would be contrary to the spirit of our free and excellent constitution, and injurious to the highest interest of the nation.

Resolved, That the thanks of this meeting are due to the members of the late congress, who opposed the admission of slavery into the proposed state of Missouri.

Resolved, That the senators and representatives in the United States from this state, be respectfully and earnestly requested to use their most zealous endeavors to prevent the further extension of slavery in the United States.

Resolved, That—

General Clarkson
John T. Irving
Wm. Bayard
John B. Coles
Henry Rutgers
Archibald Gracie
Richard Varick
Walter Bowne
Robert Bogardus
Jonathan Thompson
Henry Eckford
Thomas Eddy
Thos. Addis Emmet
George Newbold

Rensselaer Havens
John Griscom
Isaac M. Ely
Abraham Bloodgood
Wm. Irvine
Wm. W. Woolsey
Isaac Corrow
Henry D. Sedgwick
John Adams
Isaac G. Pierson
Jonathan Goodhue
Charles Wilkes—and
Samuel L. Mitchell

Be a committee to correspond with individuals, and public bodies in this and other states, requesting their co-operations in supporting the principles of freedom, and checking the progress of slavery in our country.

Resolved, That the thanks of this meeting be presented to the chairman and secretary, for the able discharge of their official duties on this occasion.

Resolved, That the thanks of this meeting be presented to Mr. Jennings, for the liberal and gratuitous offer of his room for the accommodation of this meeting.

Resolved, That the proceedings of this meeting be signed by the chairman and secretary, and published in the several newspapers of this city.

ADDRESS TO THE AMERICAN PEOPLE.

At the last session of congress a bill was introduced "to authorise Missouri to form a constitution" preliminary to her admission into the union. A provision was, by amendment, inserted in the bill, prohibiting the further introduction of slavery.— This amendment was lost in the senate, but being retained by the house of representatives, the bill was defeated.

The principle involved in this provision is so intimately connected with the interest, the character and the union of our country, that the citizens of New York, convened in general meeting, deem it

proper to convey to their fellow citizens their sentiments on this important subject, and to request their co-operation in such measures as may be best calculated to prevent the extension of the alarming evil of slavery in the states and territories hereafter to be organized in the wide domain of the United States. They feel a conviction that if the prevalence of this evil is to be checked, the attempt must be made before a new precedent is established for its further extension.

The acquisition of Louisiana, under a treaty which contemplates the formation of new states in that immense territory—a territory far exceeding in extent the whole of the old United States—gives momentous importance to the question, and ought to excite a corresponding interest in its decision—it is no less a question, that whether, in this enlightened and philanthropic age, a mighty empire of slaves shall be permitted to be formed on the soil and under the sanction of republican America, and admitted into her union; or, whether that new empire is to be composed of men who shall have a *constitutional* as well as national right, "*to life, liberty and the pursuit of happiness.*"

The power of congress to controul the character, as it respects slavery, of this great prospective population, has been denied, and its efforts to impose the restriction have been branded in terms of violence and menace, as a high handed usurpation. If congress possess the power it is important that they should exercise it without fear, and as they would answer to posterity, to conscience and to God; and that they be sure of being sustained in thus exercising it, it is desirable that, in addition to the spirit of our institutions, and the laws of a majority of the states, they should be animated by fresh and strong expressions of the public opinion.

The constitution gives congress authority "to admit new states into the union," and it requires "that there should be guaranteed to every state a republican form of government." The treaty of cession of Louisiana stipulates "for the admission of the inhabitants into the union according to the principles of the federal constitution." Hence it is inferred that their right to admission is *absolute*, and that the power of congress is limited to a single enquiry respecting the *form of government*.

If this inference were true we should submit in silence, but with sorrow; and have only to regret that the great and good men who framed the constitution had, in this particular, lost not only their moral sentiments, but their political forecast, and withhold from the charter of our union, a principle vitally essential to justice and its own perpetuity.

They were not thus blind. They found the evil of slavery in existence and in strength. It could not be eradicated at once, but it could be circumscribed and restrained; and time would pave the way for the introduction of more powerful and controlling laws. They therefore declared in reference to the domestic condition of slavery, as well as to the slave trade, "that the *migration and importation* of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the congress prior to the year 1838."

The right to prevent the *migration* of slaves rests upon the same basis with the right to prevent their *importation*; and the more effectually to confine the evil within the limits where it was then found, the prohibition was confined to the states then existing. Over the territories, and the new states that might thereafter be formed, the authority of congress was left absolute; and the undisputed exer-

cise of that authority, the *importation* of slaves into the Mississippi territory from abroad, was prohibited in 1793; the entire exclusion of slavery from the north western territory re-confirmed in 1789; and subsequently from the latter territory, the states of Ohio, Indiana, and Illinois were admitted into the union. We therefore are fully convinced that it is within the *constitutional* power of congress to prohibit the introduction of slavery into any of the new states or territories, and that it is competent for them to enforce such prohibition by the legislative acts under which they are organized or admitted into the union.

We forbear to enumerate, which we might easily do, other constitutional considerations leading to the same result. We forbear, also, to enlarge on the impolicy of our southern brethren in wishing to extend an evil—the terrors of which they even now acknowledge to be appalling; and to lose their safe-guard against the dangers of some future *servile* war, which they look for in vain, unless the western states are peopled exclusively by a race of freemen. Nor shall we dwell upon the injustice of further extending that principle of representation, that was granted in a spirit of concession by which freemen are legislated for through votes derived from the possession of slaves. We feel constrained, however, to declare, in relation to all the considerations connected with this subject, that in our opinion the dictates of sound policy, the principles of morality, and the best interests of the nation, imperiously urge the interdiction of the further progress of slavery in our country.

A majority of the legislature in both houses of congress represent states from which slavery may be considered as excluded; and we ardently hope that none of their representatives will assist in laying the foundations and rearing the fabric of that injustice in other states which they have so nobly prostrated and demolished in their own.

MATTHEW CLARKSON, chairman.

JOHN T. IRVING, secretary.

FROM THE MISSOURI INTELLIGENCER.

To the senate and house of representatives of the United States of America, in congress assembled.

The delegates from the several baptist churches of CHRIST, composing the Mount Pleasant association, holden at Mount Zion meeting-house, Howard county, and territory of Missouri, on the 11th, 12th and 13th days of September, in the year of our Lord one thousand eight hundred and nineteen,—having finished the business for which they convened together, and viewing with deep concern the present situation of our beloved country,—take the opportunity, being thus assembled, to declare;—

That, as a people, the baptists have always been republican, they have been among the first to mark, and to raise their voice against oppression, and ever ready to defend their rights, with their fortunes and their lives: in this they are supported as well by the principles which organized the revolution, and secured our independence as a nation, as by those recognized in our bill of rights, and that constitution which as citizens we are bound to support.

Viewing the constitution of the United States, as the result of the united experience of statesmen and patriots of the revolution, and as the sacred palladium of our religious as well as civil liberty, we cannot without the most awful apprehensions look on any attempt to violate its provisions, and believing that the vote of a majority of the last congress, restricting the good people of this territory in the

formation of their constitution for a state government to be in direct opposition thereto; we would enter our most solemn protest against the principles endeavored to be supported thereby. Because, our government is a solemn covenant entered into between the citizens of the United States, pledging our fortunes, our persons, and our lives, to defend and protect to each other, the enjoyment of the privileges intended to be secured; and altho' with *Washington*, *Jefferson*, and every other person, we regret the existence of slavery at all, and altho' we feel it our duty to alleviate the situation of the unfortunate beings who are its subjects among us, and anxiously look forward to the time when a happy emancipation can be effected, consistent with principles of safety and justice—

Yet, we believe that "the powers not delegated to the United States by the constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people."

By the treaty of cession, "The inhabitants of the ceded territory, shall be incorporated in the union of the United States, and admitted as soon as possible, according to the principles of the federal constitution, to the enjoyment of *all* the rights, advantages, and immunities of citizens of the United States; and in the mean time they shall be maintained and protected in the free enjoyment of their liberty, property, and the religion which they profess."

The 3d sec. of the 4th article of the constitution provides that, "No person held to service or labor in one state under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up, on claim of the party to whom such service or labor may be due."

The necessity of these provisions grew out of the political situation of the states forming the constitutions, as explained in the words of our beloved *Washington*, in his letter to the president of the congress.

The constitution does not admit slaves to be free-men; it does admit them to become *property*, and guarantees to the master an ownership, which his fellow-citizens, living in another state holding other principles, cannot legislate from him: and as under the constitution, a sister state cannot emancipate those slaves who flee to its jurisdiction, and as the power is not expressly delegated to congress, they cannot emancipate a slave, for the right is reserved to the people.—And if they cannot emancipate a slave in a state, and it be lawful to hold slaves in this territory, congress neither have the right to emancipate our slaves whilst we live in a territorial form, nor under a state government; for, by the treaty of cession, congress are not only bound to admit us into the union, but are bound to protect us in the free enjoyment of our liberty and property—and therefore, not only our right to admission into the union, but our right to hold slaves is secured by the treaty of cession, which is ratified by the president and senate, and also by several acts of congress.

With awful apprehensions we view the principle involved in this question; we are bound to hope that many are conscientious in endeavoring to enforce the proposed restriction—and we believe that they are carried away by a blind zeal and mistaken philanthropy, with due deference we would ask, if the same *zeal* that would trample on the said provisions of the constitution to emancipate a slave, if actuated by ignorance and prejudice, and stimulated by policy, would not violate a provision still more dear to us as Christians. To en-

slave the conscience in the establishment of a religion—from the violation of the sacred rights of property, and the still more sacred rights of conscience is but one step. Witness the attempt made in Virginia, the birth place of *Washington*.

Relying on the wisdom of God, we hail with Christian gratitude those manifestations of his providence, which tend to lessen the burden imposed on the unfortunate slaves, and hope that not only we, but all who profess the religion of *Jesus* will always aid any measures tending thereto. And believing that the policy proposed in the restriction will not only cause jealousy, foment discord, and shake the foundation of our government, but by confining them to one small district, will increase the task, augment the pains and rivet the chains of the slaves, we warn you in the name of humanity itself to beware.

The time has arrived when it is possible to admit us into the union—we have all the means necessary for a state government. And believing that the question of slavery is one which belongs exclusively to the state to decide on, we, on behalf of ourselves, our fellow citizens, and of the most solemn faith of the nation, claim admission into the union on the principles of the *federal constitution*—on an equal footing with the other states.

Praying that God, who grants so many blessings to us as a nation, to guide and direct you not only in this, but in other questions; that he will make you wise to the preservation of all our rights, with the most sincere and ardent attachment to the principles of our government, we subscribe ourselves your fellow citizens.

Signed by order and on behalf of the association.

EDWARD TURNER, *Moderator*.

Geo. Stapleton, *clerk*.

The Colonization Scheme.

Protest and remonstrance of the people of color, of the city and county of Philadelphia, against the plan of colonizing the free people of color of the United States, on the coast of Africa.

At a very numerous meeting of persons of color, on the 16th instant, the following resolutions were unanimously adopted:

Whereas, an address to the citizens of Philadelphia and New York, having been made through the medium of the public papers, by the agents of the American society for colonizing the free people of color on the coast of Africa, which address is made, it is said, in behalf of a number of people who are desirous of joining the projected colony in Africa, and who have made application to the American colonization society, for permission to be amongst its first colonists: But as a full and explicit expression of our sentiments and feelings relative to the proposed plan of colonization, has already been submitted to the public, and as the views therein taken of the subject, were the result of cool and deliberate investigation; and as no circumstance has occurred since their adoption, to alter their opinion, but on the contrary, the reiterated expressions of some of the advocates of the measure, that it was foreign to their intentions to interfere with a species of property which they hold sacred, and by the recent attempt to introduce slavery, in all its objectionable features, into the new states, and which has only been prevented by a small majority in the national legislature, confirms us in the belief, that any plan of colonization without the American continent or islands, will com-

pletely and permanently fix slavery in our common country. It is, therefore,

Resolved, That how clamorous soever a few obscure and dissatisfied strangers among us may be in favor of being made presidents, governors and principals, in Africa, there is but one sentiment among the respectable inhabitants of color in this city and county, which is, that it meets their unanimous and decided disapprobation.

Resolved, That we are determined to have neither lot nor portion in a plan which we believe to be intended to perpetuate slavery in the United States. And it is, moreover,

Resolved, That the people of color of Philadelphia, now enter and proclaim their solemn protest against the contemplated colony on the shores of Africa, and against every measure that may have a tendency to convey an idea, that they give the project a single particle of countenance or encouragement. JAMES FORTEN, chairman.

RUSSEL PEROT, secretary.

Bank of the United States.

It will be recollected that a statement appeared last winter, by which it was made to *appear* that the banks of Philadelphia owed the bank of the United States the sum of \$1,745,375 72. This insinuation was immediately resisted by the cashiers of those banks, who positively stated that the bank of the U. S. was indebted to them collectively, in the sum of \$49,829 14!—See WEEKLY REGISTER vol. XV. page 363, for the particulars. Again have the Philadelphia banks been held up to public view as existing through the mercy of the bank of the United States, and again have the cashiers come forward to vindicate their institutions—in the following terms:

The report of the committee of the stockholders of the bank of the United States, dated the 5th inst. signed WILLIAM DRAYTON, chairman, and ordered to be published under the direction of J. GALE, jr. secretary, contains the following paragraph, viz:

"In the city of Philadelphia, the local banks have received from the parent bank, 1,150,972 dollars in specie, more than they have paid to it. No documents which the committee have been possessed of, exhibit the specie transactions between the bank of the United States and its offices and the local banks generally, but the books of the institution in the city, show that the balances due to it by the local banks amount to 2,502,658 dollars, and that the balances due by it to the local banks amount to 941,000 dollars, manifesting that the large sum of 1,561,658 dollars remains due to the institution, for which it is entitled to demand specie, but which it has forborne to do, although, in order to support the credit of the country, it has purchased great quantities of specie at a considerable expense."

In the National Intelligencer of the 15th instant, edited by the secretary of the committee, and of the stockholders, a writer, in reference to this part of the report, makes an assertion in the following words, viz:

"Numerous state banks have failed, and by the report, those in Philadelphia are much in debt to the bank of the United States, and must soon be broken if they aid merchants to pay duties to government."

From the want of more perspicuity, and a more just arrangement of the words of the report, an impression has been made, not only on the mind of the writer in the Intelligencer, but extensively in the United States, that, at the date of the report, the banks in Philadelphia were indebted to the

bank of the United States, 2,502,658 dollars; and that the bank of the United States, at the same time was indebted to the banks in Philadelphia 941,000 dollars; manifesting that the large sum of 1,561,658 dollars was due as an aggregate balance from the banks in Philadelphia, and for which the bank of the United States was entitled to demand specie.

To correct an impression so prejudicial to the credit of the banks in Philadelphia, the undersigned deem it their duty to state, that in bringing into one collected view the balances between the bank of the United States and the banks of Philadelphia, it appears that, on the said 5th inst, there was due to the bank of the United States from some of the said banks the amount of 63,136 dollars, and due by the bank of the United States, to the rest of the said banks the amount of 49,955 dollars; showing the general balance in favor of the bank of the United States to be 14,081 dollars which was the only sum for which the bank of the United States was entitled to demand specie, on that day, from local banks in Philadelphia.

H. DRINKER,

Cashier of the bank of North America.

E. CHAUNCEY,

Cashier of the bank of Pennsylvania.

Q. CAMPBELL,

Cashier of the Philadelphia bank.

HENRY KIULE,

Cashier of the Farmers and Mechanics bank.

JOSEPH WILLIAM,

Cashier of the Commercial bank of Pennsylvania.

S. WILCOX,

Cashier of the Mechanics bank of the city and county of Philadelphia.

THOMAS WILSON,

Cashier of the Schuylkill bank in the city of Philadelphia.

D. MANDEVILLE,

Cashier of the bank of the Northern Liberties.

Nov. 16, 1819.

AS before observed, this is the second time that a want of precision in the reports of the bank of the United States, has compelled the Philadelphia banks to come forward in their own justification.

Every person, not familiar with a language latterly too much used on certain occasions in the United States, which may imply one thing and mean another, or mean *nothing at all*, on reading the objectionable paragraph thought as we did that the Philadelphia banks existed by the *mercy* of the bank of the United States, though we were greatly surprised at it, and knew not how to account for it. But when the denial by the cashiers appeared, we carefully *studied* the paragraph, and discovered the door that had been left open for the U. S. Bank to creep out at. It seems that we happened exactly to *hit* it,—by the *elucidation* offered in the National Intelligencer as follows, the words within brackets being added to explain the original article—

"In the city of Philadelphia, the local banks have received from the parent bank 1,150,972 dollars in specie more than they have paid to it. No documents which the committee have been possessed of exhibit the specie transactions between the bank of the United States and its offices, and the local banks generally; [that is, throughout the United States] but the books of the institution in this city [that is, of the parent bank] shew, that the balances due to it by the local banks [generally, *i. e.* throughout the United States] amount to \$2,502,658 and that the balances due by it to the local banks [generally, *i. e.* throughout the United States] amount to 941,000; manifesting that the large sum of 1,561,658 dollars

remains due to the institution, [from the local banks generally throughout the United States] and for which it is entitled to demand specie but which it has forborne to do, although, in order to support the credit of the country, it has purchased great quantities of specie, at a considerable expense."

Very well—we now see how it is! But suspect that this amount for which specie may be demanded, is much of the character of Owl Creek bank notes. The bank of the United States is a *debtor* to the banks generally, east of the Potomac and the Alleghenies, excepting those which have failed.

Foreign Articles.

GREAT BRITAIN AND IRELAND.

The London election for lord mayor terminated on the 6th of October. The votes were for alderman Bridges 3007; alderman Thorp 2043; and alderman Wood 2006. The election was exceedingly violent—the like was never before known in London—but the *loyal* succeeded. From the two highest on the list a choice was to be made by the board of aldermen. Mr. Bridges, the ministerial candidate, has been since chosen.

American stocks in London, Oct. 1.—3 per cents 62½ 63—6 per cents. new, 100 to 101½—U. S. bank shares, 22/10s.

British stocks.—3 per cent. consols, 70 1-8—5 per cent. navy annuities, 102 7-8 103s.

Meetings of the people. A London paper says—"From every quarter of the kingdom the accounts of meetings and requisitions for meetings on the subject of the Manchester atrocities, crowd upon us more and more every day. The whole country seems now engaged in one grand movement."

That in Cumberland (county) is called for by sir F. Vane and many of the most solid landholders.—At that for the county of Westmoreland the hereditary high sheriff is to preside. That for the county of York is demanded by the duke of Norfolk, and sundry earls, lords, knights, &c. others of the same imposing character are required for Berkshire, Carlisle, Leicester, &c. &c.

At Halifax, 40,000 persons assembled with *liberty caps* on poles and banners—the people were chiefly dressed in black, and there was an awful solemnity in their proceedings. The *white hats* were covered with black crape. There were about 40 flags, tastefully prepared, with significant inscriptions—these were also bordered with black. Among the mottos were the following—*we will be free—resurgam—we will not be slaves—union—Hunt the champion of England—no murder with impunity—corruption is falling—God armeth the patriot, the judge of all earth will do right—we are men and will not be trampled upon—man knows no master, save all creating heaven, or those whom he imposes on himself of his own free choice, &c. &c.* The procession was solemn and as orderly as the march of an army. Many well dressed females were in the line—two of them were placed near the stage, in full view, beautiful girls in deep mourning. Several persons addressed the meeting in a serious style, and a number of strong resolutions, deprecating the conduct of government as well as urging a restoration of their rights to the people, were passed. One of the girls above noticed then addressed the chairman, stating the resolve of the women to inspire all over whom they had influence, with a spirit for reformation, &c. after which she presented a liberty cap. A penny-collection was made for the relief of the sufferers at Manchester, and the people dispersed quietly.

The attention of this meeting, says the account,

seemed particularly attracted by a flag which represented a Manchester yeomanry cavalry riding full speed over the bodies of a man and a boy, in pursuit of a woman who was flying with her child.—The soldier held his sword in the attitude of striking, while the woman, herself nearly falling, seemed to have lost her child; from the appearance of blood trickling from the child, it seemed as if the "cavalryman" had either struck it or its mother.—Above the figures were the words "a proud look, lying tongue, and hands stained with innocent blood;" underneath "let us have the vengeance of the law."

The two *archbishops* are summoned to attend the trial of a person for publishing the *Age of Reason*.

The poor rates of England amount to between 10 and 12 millions of pounds—say about *fifty millions of dollars*. A sum greater by one third than the whole revenue of all the states, including all their country rates and town requisitions, added to the entire revenue of the national government!

Kean, the actor, has given up his proposed excursion to the United States, and it is well; for he would have *carried off* a good deal of money. We have no desire to *export* specie for plays. It is a different case, when money is paid for such things to those who again distribute it among us.

The bulletin of the king's health is the same as heretofore. "In good bodily health, but his disorder unabated."

A dinner was given to Mr. Brougham's friends on the 24th Sept. at which Mr. Brougham was present. He gave a toast "the honest yeomanry of the north, a body of men too well informed to be seduced either from their loyalty or their independence, and who had shewn themselves alike incapable of lending themselves to sedition, and of submitting to be oppressed."

The reformers are striking at the ministry in a vital part. We have seen that the revenue will probably fall short four millions of pounds sterling.—They encourage one another to abstain from all highly taxed articles, such as spirituous liquors, sugar, tea and tobacco. If they generally refrain from such things, the effect will be felt severely and very soon.

At Royton, 2000 men assembled at the sound of the bugle and underwent a regular military training and review. Secret meetings are much talked of, and seem to cause considerable alarm.

Ships building, and ordered to be built, at Chatham dock-yard—Prince Regent, 120 guns; Trafalgar 106 guns; Powerful and Formidable, 84 guns; Mermaid, Thames, Unicorn, Latona and Diana, 46 guns; Rattlesnake, Rainbow, and Crocodile, 28 guns; Procris, 18 guns; Weazle, 10 guns; and Sulpher, and Etna bombs. [If the United States were building so many vessels at one dock-yard, England would nearly consider it as a declaration of war!]

Latest—London dates, Oct. 24.

The London Morning Herald mentions, as a rumor, that parliament will meet in November for an early discussion of the important question of the legality or illegality of the late conduct of the Manchester magistrates.

A third meeting at Smithfield has been called by a public notice, signed "A. Thistlewood, &c."

It is said that the duke of Athol and earl of Breckinridge have each of them, in the course of their lives, caused 60,000,000 trees to be planted. We suspect a mistake here! If the trees were planted only *ten feet* apart they would cover about 600 square miles—provided that all that were planted survived.

The *Alexander* 74 and *Chesapeake*, late American frigates, are to be broken up. The London paper says the *Chesapeake* was a "crack ship of our navy"—that she "is unquestionably as fine a ship as ever swam," &c. *Good.*

☞ The papers are filled with accounts of the progress of disaffection—we now have no doubt that the *pivot-time*, of the struggle between the oppressed and the oppressors, has nearly arrived. The standing army is to be immediately increased by 11,600 men—the revenue for the last quarter fell short the enormous sum of one million, one hundred and fifty thousand pounds—the 3 per cent. consols were at 71 at the beginning of October; but had fallen to 63½—Omnium which was done at 6 per cent. *premium*, was at 2½ discount, making a difference of eight and a half per cent!—parliament has been further prorogued to the 23d of November—special messengers were sent abroad to absent members of the cabinet, requiring their immediate attendance. Earl Fitzwilliam* has been dismissed from the lord lieutenancy of the West Riding of Yorkshire, because he consented to act as chairman of a meeting of reformers to be held at York—this has much increased the consequence of the oppressed, and was a bad piece of policy on the part of the government; it will probably cause many distinguished persons to take an active part on the side of the people, who begin to say openly, "THE REVOLUTION IS BEGUN!"

A verdict of *wilful murder* was found, but not yet officially rendered, by the coroner's jury, against the Manchester magistrates and cavalry. It was expected, that, previous to its promulgation, a bill of indemnity would be enacted by parliament.

There was a report that *Castlereagh* had been assassinated. It was not true. Some think his lordship is destined for a more *exalted* exit.

☞ The following article from the *Sunday Monitor* for the 24th October, shews the state of alarm that exists—

"*Alarm*ing state of the country.—Never at any former period, were we called upon more strongly to protest against the measures of government than at the present. It is indeed an affair of peculiar delicacy, but of fearful import. Its former character would incline us to avoid it, but the latter leaves us without a choice. The situation of the country is at this moment so dreadful, that no man of common sense can view it without horrid presentiment of the future. The axe is laid to the tree. The foundations of our faith are plucked up—the main pillars of our morality are shaken.—Infidelity walks abroad in the open day, a hideous and corrupted mass. The political demagogue and the blasphemer of religion have shaken hands together. In them there is no trust, nor safety. To what are they opposed? Lifeless masses of heavy divinity—the foolishness of superstition, or the madness of enthusiasm.—Political profligacy—the laws derided—the nobility degraded—the people impoverished and desperate—the government blind and stupid. Good God! how shall we treat this subject so as to awaken both sides to their danger? We love our country and our countrymen—we glory in the constitution—and we are ready to lay down our lives for the protection of the throne. But of what avail is our loyalty, or our love, when the constitution, in which our only safety rested, is beleaguered round, and the ministers, who should watch over its safety, and the people who should rise up in its defence,

*This venerable person is 73 years old, and one of nature's noblemen.

are both, with rapid strides, hastening to its destruction. To stop their mad advance seems almost a hopeless task. Yet we will not despair. While one fragment of the great edifice, which our ancestors constructed, remains, we shall be found at our post. We will take our stand by its tottering base, and survive or perish with it."

Another paper observes—The state of the country is now more alarming than ever. We hear of nothing but drilling the country people. Arms of every kind are purchased in large quantities, sabres of a rough undressed kind, the blade inserted into a common wooden handle, have been manufactured at Birmingham in immense quantities, and sold to the people at 2s a piece. Pistols of a similar rough workmanship are also manufactured in almost equal quantities, and we understand bought up with the same avidity.

☞ Another general meeting was speedily to be held at *Manchester*,

Am. stocks London 23—3 per cent. 62 1-2—new six per cents 99 1-2—U. S. bank shares 221.

The princess of Wales, it is said, has passed through Paris and Lyons; but whether she intended to visit England or Germany was not known.

The earl of Dalhousie has been appointed governor in chief and captain general of the Canadas, in the room of the late duke of Richmond, and major general Kemp has been appointed successor to the earl as lieutenant governor of Nova Scotia.

The sailors on the *Ryne* have turned out for an advance of wages. A large meeting of the people was held at Newcastle, 10 or 15,000 of the working classes paraded the streets with flags, &c. with much noise.

At Newcastle, Sunderland, &c. great disorder prevails. The sailors will not work without an advance of wages, and throw their weight into the common mass of discontent. The few that were at work were protected by the military. Great uneasiness is felt at the result of this state of things. At North Shields, a jury brought in a verdict of "justifiable homicide" on a certain case not stated—in consequence, an attack was made upon the house of the foreman and two of the jury, whose houses were fired into the night after the verdict was given.

☞ In order to counteract the simultaneous meetings of the reformers on the 1st of November, it had become necessary for government to issue orders from the department of war, calling upon all officers lately belonging to the royal veteran battalions, and now upon the retired list, immediately to report their respective addresses to the adjutant general, at the horse guards.

Mr. Carlile has been tried and found guilty of blasphemy, in regard to the re-publishing and selling Paine's *Age of Reason*.

At a meeting at Chester, Oct. 15th, it was agreed to raise an additional armed force, and 14,000 was immediately subscribed for the purpose.

The Courier, speaking of the accounts from different parts of the country, observes, "We should tremble for the fate of this envied land, if we saw any want of vigilance or courage in our government."

Newgate contains 368 criminals, of whom 107 are women—of these 34 are under sentence of death, 23 to be transported for life, &c.

☞ The handbill calling another meeting in London, was given in those strong terms—

United Britons and Irishmen!!!

You have asked for reform! You have been slaughtered with the sword, yet justice is delayed!—Lex-

MON MEETS ON Monday, November 1st, 1819, at 12 o'clock at noon, in Finsbury market-place, Sun street, Finsbury square, to address the prince for a redress of grievances.

Let all industrious classes consult their own good; the idle, the intolerant, and the sordid have long consulted theirs contrary to reason, humanity and justice! Myriads of Britons alive to liberty, meet to give one imposing evidence of their love of freedom, their will to be freemen, and to make one more appeal to the prince to throw himself into the arms of a high spirited and generous people, against the tyranny of an unfeeling, mercenary, and merciless oligarchy, whose measures have long disgraced the crown, oppressed industry and at last brought ruin into the land! United nations call on one man to declare himself the friend of HUMANITY, JUSTICE and LIBERTY! And unlike his predecessors, instead of incorporating a town or village, a people call upon him to immortalize his name by enfranchising whole nations. Can one man, will one man resist the voice of millions? Will millions for ever be the dupes of knaves? Forbid it, ye departed spirits of the brave, whose crimson bathed so oft the sacred shrine of liberty! Forbid it, ye living patriots, whose hearts bleed for your dead and dying, for your furnished and furnishing country folks! Forbid it, every man who has a soul to be free, and courage to resist oppression! No longer temporise with your fears!—No longer to the wily words of cowards, knaves, and plunderers? Your miseries are intolerable! The day of deliverance is at hand. Your destinies remain with yourselves. Your fathers became free by their courage. Tyrants were never subdued by cowardly submission. Britons will never turn renegadoes and apostatize from the heroic cause of liberty and justice, displayed by their SIBYRS and HAMPBES. The times are now portentous. Thousands of the most useful people die daily of want—the cries of the oppressed rise up to Heaven, and call aloud for justice upon the guilty authors of their sufferings. But let the people pause on the past, and once more offer to the prince the hand of good fellowship! Try, in the awful circumstances of the times, whether he has the wisdom to take it, press it to his heart and exclaim aloud—"I grieve for your wrongs! but I will now be your friend!!!" Try if the tools of oppression dare now advise him against a sound policy to reject the voice of reason, of justice and of mercy. Britons, no longer trifle with your fate; demand your rights! Awake to your dangers. Will nothing arouse you? Behold the ghosts of your mangled friends, they cry aloud "Be firm! be bold! if you would avoid our fate: but preserve peace! keep good order! respect property! be not the first to offend, yet OPPOSE MASSACRE AND MURDER!!!"

A THISTLEWOOD, Sec'ry.

London, Oct. 23. Yesterday morning a great fall of snow commenced, accompanied by a violent hurricane. The wind blew from the north west, and has done considerable damage in and about the metropolis. The roads at the entrance of London were in several parts impassable, particularly at Walthamstow, where a number of trees were torn up by the roots, and lay across the highway, compelling travellers to make a circuit of several miles. The snow had also accumulated near a foot deep, and the pathways in the fields were not passable for foot passengers.

FRANCE.

There appears to be much struggling between the *ins* and *outs* in France—but the people are quiet. The funds have declined in consequence of some

war rumors—Russia on one side and Austria and Prussia on the other. But the best informed persons consider these reports as unfounded.

The number of English in Paris is increasing—15,000 are the number supposed to be in that city—some, no doubt, to be "out of harm's way."

It is affirmed that the duke of Revigo is on his way to Paris, in order to abide a new trial, after having set aside the sentence of death, to which he is condemned by *contumace*.

Letters from Paris assert positively that marshal Soult has been received with great distinction at court by the princes. Among many flattering expressions, the king told him that his recollection had become very much impaired. When he was introduced to the duke de Berri, he took him by the hand and presented him to the duchess, saying, "I present you one of the first generals of the age."

A person has been arrested for exhibiting a small statue of Bonaparte, and using certain words which excited considerable tumult.

NAPOLEON BONAPARTE.

A continental paper mentions that "count Montholon came to Europe with his wife, from St. Helena, disguised as a servant; that he has brought several letters from Bonaparte concealed in his clothes, and the three first volumes of Napoleon's memoirs, which are to be forwarded to New-York for publication.

NETHERLANDS.

Fortifications on the frontiers of this kingdom are building and repairing at great expense.

SPAIN.

We have distressing accounts of the ravages of the yellow-fever at Cadiz, &c. The court, however, does not seem much affected with it, as it affords an excuse for abandoning the "grand expedition."

The Cadiz expedition is broken up, the clothing and provisions burned, and the troops have deserted in all directions.

The deaths by the yellow fever in Cadiz and the isle of Leon, have amounted to so many as 135 in one day.

The young queen of Spain is only 16 years of age, and does not appear much pleased with her coupling with Ferdinand. She cannot be ignorant of his character. It was observed as she passed through Toulouse, that she was very dejected.

Madrid, Sept. 21.—The sentences relative to the conspiracy of the ex-general Porlier, approved by his majesty on the 12th ult. include 242 individuals. Brigadier de Ramon Romay, col. M. Peon, major Peter Miquelez, caps. Lopez and Arguez, lieut. Urnedia, and the naval officer Uarnes, all sentenced *par contumace*, are sentenced to be shot in the back, and their property confiscated; they may, however, be heard in their defence, if they present themselves. Caps. Castaneda and Peon, are sentenced to the same punishment, with the exception that they may not be heard in their defence. The merchant Andres Roxo, is also sentenced to the same fate.

The other punishments are imprisonment, from ten to two years. This class includes 20 officers of all ranks. Some are sentenced to be confined in fortresses from four years to six months, and 40 have been deemed sufficiently punished by the detention they have already suffered. The number acquitted amounts to 148, nearly all officers, amongst whom are three colonels and three lieutenant-colonels.

GERMANY.

Great military preparations are observed through-

out the whole of Germany. The regiments are filling up, fortresses repairing, &c. It is not understood why these things happen, unless in consequence of the report that the emperor of Russia intends to reunite to his "good kingdom" of Poland the provinces which Austria and Prussia formerly despoiled her of. It appears certain that something is going on that creates much jealousy among the great powers of the continent. Austria lately increased her army 80,000 men, and a new levy is spoken of, as a measure of precaution.

Sandt, the assassin of Kotzebue, is to be tried by a special tribunal, as is also the, "Prussian conspiracy." The Jews are hastening to Austria, where the rich bankers, the Rothschilds, have patents of nobility, for their services in the late war. Disturbances have broken out at Odenwald, a province of Hesse; a party of cavalry were defeated by the "country people," who made themselves masters of six pieces of artillery.

A serious quarrel is said to have arisen out of the Carlsbad conferences, between the king of Bavaria and the elector of Hesse; the former having obtained at Carlsbad the cession of Hanau, and the latter declaring that he will not give up a single village of his territory. It is added that, in consequence of this difference, troops were marching on both sides.

It is reported that a congress is to be held at Vienna, which will be attended by all the German sovereigns, and also by the emperor of Russia, to make some definite arrangements on the affairs of Germany.

The anniversary of the battle of Leipzig, (Oct. 18) was to be commemorated in Germany only by religious ceremonies. The reason for this determination is, to avoid giving opportunities for numerous assemblies of the people!

DENMARK.

It is stated, on the authority of private letters from Hamburg, that the disturbances at Copenhagen directed against the Jews, had been renewed with greater violence. The troops having put them down, it is asserted that the next day the sailors in the port reinforced the populace, and, after holding some parleys with the soldiers, the latter refused to act against the people. It is added the king had, in consequence, quitted his capital to proceed to a strong fortress at some leagues distance, and that new troops had been ordered to march upon Copenhagen. There have been disturbances of a similar character at Elsinore.

A secretary to an advocate, who was active in abusing the Jews, has been sentenced to imprisonment for life, and to be employed in rasping wood.

The differences between Denmark and Sweden are arranged, through the mediation of the British minister.

RUSSIA.

The emperor has lately issued an ukase to increase his army 150,000 men--so that the whole mass of his disposable force will amount to 900,000!

Another account would induce the belief that a much larger amount is designed to be raised, for the levy is said to be at the rate one man in fifty.

POLAND.

The "magnanimous Alexander" has abolished the liberty of the press in Poland, and so in another way became a "deliverer!"

AFRICA.

The coast still swarms with those whose merchandise is in the blood of men.

The Caffree war has terminated and the frontiers are restored to tranquility.

Emigration to this colony still excites attention in England; and a number of settlers are about to leave the latter for the former.

BARBARY POWERS.

Algiers, Sept. 10—On the 3d inst. an English and a French squadron arrived here; on the 4th the two admirals came on shore; on the 5th they presented to the dey, in the name of their sovereigns, the resolution of the congress at Aix-la-Chapelle, relative to the Barbary powers, one of which was to the following effect:

"That the Barbary powers will no longer be allowed to remain on the same footing they had been; and that they must henceforth, in their political relations, consider themselves to be viewed in the light of civilized nations," &c.

To this the dey replied, that he really could not comprehend what the admirals would say to him; and they have, in fact, left Algiers without any further arrangement.

EAST INDIES.

In the insurrection at Palembang, in June, the Dutch garrison was surprised by the natives, and lost 50 men killed. An expedition was fitting out at Batavia for Palembang river, to sail in a few days. [*Salem Reg.*]

BRAZIL.

It is stated that the king of Brazil has given a decided negative to the demand of Spain for the surrender of Montevideo, and that Ferdinand's ministers are very angry at it, and talk of making war upon Portugal.

WEST INDIES.

It is estimated that not more than one-third of the troops who lately arrived at the Havana, are fit for duty!—so dreadfully have they been scourged with disease.

Two persons have been tried at Jamaica for a violation of the British laws respecting the slave trade, and sentenced to transportation. These were the first trials of the kind that had taken place at Jamaica.

The Libertydor, one of Brion's squadron, lately entered the port of Mancinello, Cuba, and demanded a ransom of the town—40 hours were allowed to procure the cash. In the mean time the governor collected some forces, and a battle ensued between them and about 70 men who had landed, in which the patriots lost 12 men and the Spaniards 18, including the governor. The place was then cannonaded, and the fire returned, by which the Libertydor was compelled to haul off much damaged.

CANADA.

We have been informed, says the Montreal Herald, that two companies of the staff corps, which have been stationed for some time back in this country, have received orders to return immediately to England.

Bills of Exchange.—It is stated in the Quebec Gazette of the 8th inst. that the British government bills are selling in that city at 5 per cent. premium, payable in a description of gold which bears a premium of one per cent—making a loss of six per cent on remittances in bills of exchange. It is said, that the average profits on the whole of the imports are not equal to this 6 per cent. loss on this mode of making remittances; and that this state of things "forebodes diminished consumption, diminished production, low prices, and little to do."

London Oct. 19—On the representation of the captains commanding the large ships in ordinary on the Canadian lakes, warrant officers have been appointed to all the vessels, some of which are large first rates. We hear also that an extra number of

warrant officers are to go out for the purpose of providing for casualties.

Ships and vessels on lake Ontario, 1816. Nos. 1 and 2, in frame, 118 guns; St Lawrence, 112; Prince Regent, 64; Psyche, 54; Princess Charlotte, 42; Niagara, 21; Montreal, 21; Star brig, 14; Charwell brig, 14; Nettley schr, 9; gun boats Nos. 1, 2 and 3, one twenty-four pounder each; ditto, 4, 5, 6, 7, 8, 9, 10 and 11, two twenty-four pounders each.

On lakes Erie and Huron. Tecumseh schr. 8 guns; Newash ditto, 8; Constance ditto, 2; Surprise ditto, 2; Sauk ditto 2; Huron ditto 2.

Fire-Places.

FROM THE DOWNINGTOWN REPUBLICAN.

Fireplaces, for warming rooms, have been for a long time in use; and the best plan for constructing them continues to be an interesting subject of investigation.

Whether or not fire-places and chimneys are of very ancient date, and mentioned by Virgil Appian, and Aristophanes, or whether they are of more modern invention, is not of much practical importance; and may be left to philosophers to determine. But as the proper construction of a chimney and fireplace is one of the greatest comforts of domestic life, I cannot doubt but that government will grant me a handsome premium for making public an unerring rule by which they can be so built as never to fail of drawing well, without emitting any smoke into the apartment. When the principle was first discovered by me, I wondered how it could so happen, that we had any defective chimneys amongst us; for I remembered to have heard that Dr. Franklin and count Rumford had devoted much attention to this subject, and must, of course, as I thought, have discovered a principle so plain and self-evident; and consequently, every mechanic must have learnt it, as not they only, were interested in it, but every one of the civilized world.—After thinking of it in this way, I took an opportunity of enquiring into their opinions, and I find that the principle was never known to either of them; and as far as I know, I am the first and only discoverer of it. The principle consists simply in making the size of the flue bear a certain proportion to the size of the fire-place in front. To ascertain what would be the smallest proportion which the flue would bear to the front of the fire place, would require some experiments. But it is probable that a fire-place $2\frac{1}{2}$ feet square in front, would draw well enough, to carry up all the smoke, by a flue 12 by 14 inches, and probably by a one foot square: or even less may possibly do.

If one foot square, would carry all the smoke of such a fire-place, the proportion would be 144 to 900, or a little more than 1-7, and a little less than 1-6. But for greater certainty, we will say 1-5 is the proper proportion, and that a flue to a fire-place $2\frac{1}{2}$ feet square, shall be 12 by 15 inches. If the front be twice that size (3 feet 6 and near a half square) then the flue or chimney must be 12 by 30 inches, or near 19 inches square. If it be three times the first size, or near 4 feet 4 inches square, then the flue must be 12 by 45—15 by 36 or nearly $23\frac{1}{2}$ inches square. Or if it be 4 times the size of the first, or 5 feet square, the flue must be equal to nearly 27 inches square, and so accordingly, whatever may be the dimensions of the fireplace in front. I do not know that a lesser proportion would not do; and whatever experience may establish, as that best adapted to answer the end proposed, it will not invalidate the principle laid down, but confirm

it. One thing, however, is true, that the smaller the fire place is in proportion to the flue, the harder it will draw, and by being thus proportioned, it may have any degree of draught given to it at pleasure, from that of an air furnace to that which will scarcely draw up the smoke. Any one may convince himself of the truth of this doctrine, by taking a board and closing up the fireplace, downwards from the mantle, and in proportion as it diminishes by the board moving downwards, the power of its draught will be increased. Franklin was aware of this fact, but was ignorant of the principle on which it depended, as he supposed the height of the chimney and not its dimensions governed the fact itself, —and hence mentions that the higher the chimney, the larger the opening may be: and that $2\frac{1}{2}$ feet square may be risked on a lower floor and $1\frac{1}{2}$ on the upper, &c. The common ten plate stove furnishes an example of the truth of this principle: When the large fire door is open, the stove will smoke, because the large door is an overproportion in size to the size of the pipe—but shut the large door and leave the small one open, the stove immediately draws like a furnace, because its area is smaller than the area of a section of the pipe. If it were true that $2\frac{1}{2}$ feet square was the largest size which could be made to draw well, it would indeed be an unfortunate fact, as we could never have a comfortable kitchen fireplace—but if the principle here laid down, be true, we can, with equal certainty, build a fireplace ten feet wide and five high, or of greater dimensions if we choose.

The height of the chimney I believe to be a matter of no importance to the draught, and that a low one will draw as well as a high one. The worst smoking chimney that I ever saw was about 47 feet high, in my own house: it smoked because it was too small, and was cured by adding to it the flue of a fire place directly above it; on account of which I had to lose a fireplace on the 2d floor. In this case the size of both chimneys was barely sufficient to vent the smoke of the lower one. The height is a subject which I have not investigated, but it strikes me that a low chimney is most favorable to drawing well: if any one want an explanation on it, I will give it again; but it cannot be of much practical importance. The fashion of a fire place is of no importance to the draught: it may be made to please the fancy of the builder. I, however, should prefer one something near count Rumford's plan. The throat of the chimney may be contracted or not at pleasure: but for beauty and advantage of heat, I should prefer having the back drawn forward and the throat narrowed, more especially in a low fireplace. There may be local contingent circumstances connected with chimneys, which cause them to smoke, and must have appropriate remedies: but such do not effect the general principles here laid down.

Smoke, from fires, is naturally carried upward by the heated air, which is specifically lighter than the surrounding atmosphere, and consequently ascends, carrying the smoke with it, and if it meet with no resistance, will pass up the chimney; but if that be too small to vent it, it regurgitates, as it were, into the apartment; which can only be remedied on the principle heretofore laid down.

It might be asked, why will not a small chimney vent all the smoke of a small fire, in a large fireplace? Two reasons may be assigned: First, the heat of such fire cannot produce a brisk enough current of rarified air to carry the smoke, and that which is heated, not having free vent, it whirls in eddies into the apartment. Secondly, smoke, in it-

self, is specifically heavier than atmospheric air, consisting of aqueous vapour, carbonic acid, and oxid of carbon, and coming in contact with air not much heated, and parting with a portion of its own heat, it has then no disposition, in itself, to ascend. But this would lead to a discussion foreign to my present object. Yours, N.

CHRONICLE.

Pirates. The West India seas are still infested by pirates of the most abandoned character. They are of all nations, and respect no flag. Their chief cruising ground appears to be off the southern coast of Hayti, and generally in open boats, which shews that their rendezvous must be on some unfrequented parts of that island. But there is no reason to believe that they are in any manner sanctioned by the local authorities.

We are disgusted too with the frequent account of villainous acts committed under the independent flags. It is time that some *understanding* existed with the patriot governments in this respect. We are sure that they do not sanction such abuses.—Some means should be adopted to ascertain what vessels are really authorised by them, which presumes that there is some security for their good behavior. At present, any set of depredators seem to use what flag they please, making commissions for themselves or accepting them from any one. If some remedy is not fallen upon to repress this growing evil, the United States and Great Britain and other maritime and commercial powers, will be compelled to defend themselves, by cruising for and severely handling these violators of the law.

Piracy. John F. Ferguson, a foreigner, was tried for piracy at the circuit court of the United States now sitting in Baltimore, on several counts of an indictment preferred against him for piracy. He was one of those who ran away with the privateer brig Irresistible, then lying in the port of Margaritta, and afterwards plundered many vessels. He was found guilty.

The trial of sundry persons at Baltimore, for certain transactions in our banking establishments, has been postponed until December, in consequence of the indisposition of the attorney-general.

Delaware. The constitution of this state makes no provision contingent to the case that has lately occurred in the decease of a *governor elect*; and much doubt exists as to the course that must be pursued.

Commodore McDonough. The seamen attached to our squadron in the Mediterranean, have made up a sum, amounting to twelve hundred dollars, for the purchase of a sword to be presented to their gallant favorite, commodore Macdonough.

Texas. We have not paid much attention to the proceedings of the "patriots in Texas," as well because we could not perceive any legitimate object in view by the adventurers, nor consider them as sufficiently important to occupy the public attention. The whole amount of the forces commanded by general Long, it is said, never exceeded *seventy* men, officers and all—many of whom have perished by hardship and disease, and the rest have been nearly starved to death. The expedition is wholly dispersed or broken up, and Long, himself, is said to have gone to *Lafitte*, at Galveston.

The New-Orleans Courier of the 25th October, contains the report of the jury of inquest which was held over the body of the late Mr. *Bailly Blanchard*, cashier of the *Planters bank* of that city. In it it is declared that the deceased "fell under the

blows of some *assassins*, and was afterwards thrown into the river!"

Dr. John H. Robinson, celebrated for his attempts to revolutionize the province of Texas, and the head of the late expedition, recently died at Natchez.

Smoky atmosphere. In the fall season, during what is called the "Indian Summer," it is not uncommon to have a smoky atmosphere, for a few days. But for 2 or 3 weeks, commencing in the last of the past month, it was remarkable thick.—It is noticed in the papers from the shores of the lakes, in Ohio, in New Hampshire, at Baltimore, Norfolk, &c. and appears to have been general over the United States. It is stated that it was difficult in some parts of the West India seas to get an observation on account of it.—and at Zanesville, O. it was so thick, one day, as to render objects scarcely discriminable at the distance of 10 or 15 rods.

Died on the 11th inst. *Robert Jenkins*, esq. mayor of Hudson, N. Y. who, on his passage from New-York in a packet was knocked overboard by the boom, and so injured, though speedily taken out of the water, that he died in about 48 hours afterwards. He was much esteemed.

—also, recently in Baltimore, Mrs. Jane Hale, at a very advanced age; who, for about 50 years of her life kept a toy, fruit and cake table, in Market street, and nearly on the same spot. How great a change, from the little village to a large city, must she have observed!

Appointment by the president.—*Theodorick Bland*, of Maryland, judge of the United States, in and for the Maryland district, vice James Houston, deceased.

✂ **POSTSCRIPT**—The *Hornet* has returned. She arrived at New-York on Tuesday last. This shews that not much time was given to the Spanish government to decide on the questions presented by Mr. Forsyth, who remained at Madrid when the *Hornet* left Spain. Capt. Reid has proceeded to Washington—but at New-York did not intimate any thing of the state of affairs—a *report*, however, prevailed that the treaty was not ratified.

The United States squadron, except the *Spark*, was at Gibraltar, all in fine health and condition. The sickness at Cadiz had abated. The *Hornet* left the latter on the 26th ult.

A letter from Pensacola, dated 14th ult. received at New-Orleans, says—"The governor has orders to fortify Barancas. Three or four new breast-works are erecting. All the troops are gone to the works; forty men only remain in this garrison."

From the National Intelligencer of yesterday—Capt. Reid, of the U. S. ship *Hornet*, arrived in this city yesterday; that vessel having arrived at New-York on the 23d instant, in 29 days from Gibraltar. Capt. R. left Madrid on the 23d, and Gibraltar on the 25th ultimo.

We understand that he brings information that the treaty is not ratified; and that things remain much in the state in which our last advices left them.—Mr. Forsyth remains at Madrid, and a minister from Spain is to be forthwith sent to this country. If further particulars come to our knowledge, they shall be hereafter noticed.

It is proper to state, that a report did prevail, for a day or two, at Madrid, that the treaty was ratified. During the prevalence of this report a letter was written, in which originated the report which has run through the country, and which gained general belief, that the treaty was ratified about the 20th ultimo.

NILES' WEEKLY REGISTER.

NEW SERIES. No. 14—Vol. V.] BALTIMORE, DEC. 4, 1819. [No. 14—Vol. XVII. Whole No. 430

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

A miscalculation has prevented the insertion of our usual notices of foreign events. No matter of importance, however, has happened, by the accounts which have reached us since our last, though we have English news a few days later. Meetings of the people were still holding, and the government was carrying into effect all its means to prevent an insurrection. The details, shall be preserved.

Messrs. Harper and Orr, the persons who, under authority of the auditor of the state of Ohio, collected the tax levied on the branches of the bank of the United States located therein, were taken before judge Thompson (a state judge) for the benefit of the act of *habeas corpus*, who decided that he could not allow it. The opinion, &c. shall be published as soon as we can make room for it.

The Philadelphia society for the encouragement of national industry," has commenced a new series of essays. We have examined the first number—it is truly a powerful article, relating to *cotton* as a great staple of our country, and calculated to cause the planters of it to come to a pause and reflect upon the necessity of a home market for their commodity. We hope that it will be extensively spread before the people, and especially those first interested; but we cannot now promise to aid in this by republishing these essays, on account of an expected monopoly of our pages by the proceedings at congress.

Many meetings of merchants and others have been held in the different cities of the United States to memorialize congress in favor of an *uniform system of bankruptcy*. It is probable that congress will do something in this matter at the ensuing session. We are in favor of some system on this subject. It seems to us a positive certainty that almost any sort of a general law respecting it, would be preferable to the present mode of paying honest debts by the insolvent laws of the several states.

Congress meets next Monday. To dispose of several things that must be inserted, and which would have stood in our way, the present sheet is in part given up to matters of record and reference. The proposition of our friend Lancaster, and the abstract of certain speeches delivered by Mr. King, will excite present attention. A number of articles in manuscript are postponed.

A PROPOSAL ACCEPTED.

To the editor of the Register.—I know that you are always in "want of room" to insert such things as you believe it necessary for your work to possess. Certainly, you have far exceeded any thing that we had a right to demand of you, by your numerous extra sheets, and I am satisfied that they have been issued *pari passu*, as you say, with the means afforded. But the session of congress is coming on, and we suppose its proceedings, and the papers to be laid before that body, will be very important—it is needful that these should promptly be put into the possession of the people—Suppose, therefore, that every subscriber you have was to endeavor

to get one other subscriber, and that, if only one in four actually succeeded, though perhaps each of us might obtain one, and were to forward you the advance,—would you feel justified in saying that, during the session of congress, you would give an extra half sheet every other week, one-fourth more matter than we have a right to demand of you, provided the current affairs, domestic or foreign, should appear to require it? A subscriber in the country.

To all the subscribers to the Register.—The preceding is the substance of a long note just received. I cheerfully accede to the proposition, and will do more than is required, if thought necessary, in the contingency stated. That the experiment may be tried, a prospectus of the REGISTER is enclosed in each number issued this day.

I have only to add, that this addition of "one-fourth" to the usual quantity of matter, would enable me to keep a-head of nearly all the daily newspapers, as to the publication of things affecting our national affairs. This would, perhaps, compensate my friends for any exertion they may be pleased to make in favor of the proposition.

The bills or notes of any specie-paying bank in the United States are received in payment for the REGISTER—the safety of the mails is guaranteed, and on letters containing the amount of two subscriptions, the postage may be charged to

The Editor.

MR. KING'S SPEECHES.—We publish the substance of two speeches delivered by Mr. King, in the senate of the United States, on the Missouri bill, and freely declare that we never have observed so great a body of argument pressed into a smaller space.

The plain history of the facts belonging to the prohibition of slavery in the territory north of the Ohio, and the reasons given why it was permitted in the new states erected in the south, are *conclusive*, we apprehend, as to the right of congress to forbid slavery in the Missouri country. Indeed, it appears that the right was not, until lately, disputed, seeing that when the southern states ceded their western territories, they provided against such prohibition by a *positive* article on the subject.

We sincerely thank Mr. King for the light afforded on this great national concern; and hope that it will have the happiest tendency to allay the ardent feelings which a discussion of the matter seemed likely to produce. The whole affair, as it now appears to us, is reduced to a question of *expediency*, on which every man may freely vote according to his feelings, without danger of coming into contact with the provisions or principles of the constitution, or the law, as established by the treaty by which Louisiana was ceded to us—and we hope that it will appear to be the interest of *all* parties to forbid the extension of an acknowledged evil, the effect of which must be to render it perpetual.

SPAIN. The following are the speculations of a Paris editor—"All the accounts from Spain confirm the resolution which his majesty has adopted (by the advice of his ministers) not to ratify the treaty which cedes the two Floridas to the United States. This is a question of the utmost import under present circumstances. Politicians agree that if the

treaty is not ratified, America will soon fulfil it by force of arms; and that she will not be satisfied with these two provinces, but will also invade Texas. It is even believed that, in case a war ensues, the United States would invade the rich kingdom of Mexico; the finest flower of New Spain in his majesty's crown, and the principal source of the revenues of his kingdom. This circumstance has excited the liveliest sensation."

Letters from Spain, received at Norfolk, are published in the Herald. It is positively stated in these, that on the 5th day of July 1814, a treaty was signed between England and Spain, to which certain secret articles were attached on the 20th of August following, by which the Floridas were really ceded to Great Britain, on the consideration that the latter should guarantee to Spain her other colonies in America. But we shall not perhaps, remain in the dark much longer respecting this business. Little as we think of the honor of the Spanish government, we hardly suppose is possible that Don O'ris should have been invested with full powers, as he surely was, to pretend a cession of the Floridas which had before been ceded to Great Britain.

It is said that gen. Bonavia, the *third* person named as a minister to the United States, has also refused the office.

A New York paper however says—From various letters received by the Hornet from Cadiz, some of which are written by men high in Spanish confidence, if not authority, it is reduced to a certainty that the treaty with Spain is not ratified; that the negotiation between Mr. Forsyth and the Spanish secretary of state, has terminated, and that a Spanish minister may shortly be expected to make the necessary explanations to our government, on the subject. It is understood in the court circles of Spain, and we presume correctly, that the difficulty arises out of the large grants of land which had been made, and which grants our government refuse to acknowledge as valid.

Cuba. The London papers continue to urge, with great earnestness, the advantages to be derived by England from the cession of Cuba. A writer in the "Times," describes that island to be about seven hundred miles in length, and 150 of mean breadth: as containing, independent of its white population, about six hundred thousand black and colored persons as being every where fertile, and abounding in cattle and timber; and what is of more importance, as containing "a port (Havana) second to none in the world, land-locked on all sides, with a narrow entrance commanded by two forts, where a thousand sail of the line may ride in perfect safety, even in the hurricane months:—*A station from which the British navy would have complete command over the whole line of the southern and eastern sea coasts of the United States of America.*" The produce exported from Havana in 1818, is described by this writer as being in round numbers 227,000 boxes of sugar; 25 millions of pounds of coffee; 45,000 hogsheads of molasses, and 3000 hogsheds of rum.—1078 merchant vessels entered the port during the year, exclusive of coasters. And the writer conjectures that the commerce of the island would afford constant employment for 200,000 tons of shipping and 14,000 seamen.

A counts from Spain say that the cession of this island to Great Britain was a common subject of conversation at Madrid—and British officers at Gibraltar inform their friends in England, that they expect to be transferred to Cuba.

National Institutions.

TO BURWELL BASSETT,

AND THE FRIENDS OF AMERICAN EDUCATION.

Norfolk, Virginia, 20th 11th mo. 1819.

HONORED FRIEND—In addressing thee, and the friends of education in their legislative capacity, I have two objects to which I wish to claim attention, and both are well known to accord with thy patriotic solicitude:—1st. measures essential to the extension of the Lancasterian system of education, in its most perfect shape—and *secondly*, measures by which the citizens of the United States may increase their intellectual rank as a nation, beyond all precedent in the history of the world. Measures by which a national excellence may be attained in relation to subjects truly scientific and dignifying, not only as productive of great local advantage, but as setting an example beneficial to future ages and opening to other countries the path of knowledge—The march of mind.

Near twelve months have now elapsed since I was honored with thy friendship; for thy spontaneous kindness—and the consequent honors of congress, the revolving year reminds me that claims which call for gratitude ought not to be neglected. I feel anxious to make such communications as may prove how deeply I have felt the open-hearted and generous reception which I experienced when lecturing before the national legislature. How can I better express my feelings than by proving that the general prosperity of this country has been a subject of consideration ever since I landed? The first subject, that of education, is in the line of my professional duty,—in which after twenty two years devotion, I feel an unabated zeal and enthusiastic ardor; but the important "measures" which may conduce to the general advancement of art, science and national resources, is most consonant to my present feelings. I not only intend to keep the subjects very much distinct, but, in the present case, the first shall be last and the last first.

In travelling above 4000 miles in the United States—lecturing to above fifty thousand persons, I have seen much for *one* twelve months, and yet compared with the magnitude of territory or extent of population, I feel satisfied that all I have yet seen of the character of the people—or the productions of the country, is comparatively small. I do not feel that twelve months travelling, with much public and private intercourse, can warrant me in forming as *too many* have done, a superficial and fixed opinion of the country, which is as various from itself as from any territory of the same extent on the surface of the globe. Far from vain confidence in the acquisition of knowledge respecting a country so new to me in most respects, I would not hazard an opinion even with much diffidence—yet I am convinced, by the little I have seen, that any contemplative mind under the same circumstances must feel deeply impressed with its natural riches and those capacities for improvement, by which it must ultimately take a great rank in the scale of nations; and by the early cultivation of its capacities it may even confer a benefaction on the human race.

It has seemed to me not only possible, but easy, contrasted with the magnitude of the object and result of the design, for such a nation to exert their patriotic and intellectual energy so as to take tribute of all nature on a scale of grandeur which never entered the mind of any earthly potentate, which is without a parallel in the history of nations or records of science.

If the truth of this assertion be eventually demonstrated, knowledge shall have temples reared to its right use, more national and ennobling than that of Solomon's, but, like that building, containing emblems and marks of *his* goodness, who not only still enthrones himself upon the mercy seat, but who fills the temple of the universe with his glory and his presence.—Perhaps the brightest page of human history is left blank for Americans to fill, with such vivifying characters as shall with equal perspicuity and brilliancy, prove to the nations of the world with the full force of demonstration, that "knowledge is power."—Am I then to imagine that patriotism, which in this case is the leading requisite to ensure success, is so small among you as a people, that for want of this pure motive, so generally professed, you can tamely lose an opportunity which is the boon of a Divine hand, and may by active improvement cause the fruits of art and science to be poured out in unknown abundance from a cornucopia of unceasing plenty.—If the sons and daughters of your rising Columbia, possess feelings for their country which vibrate in unison with those of a citizen of the world, not an hand will be idle, not an heart indifferent, to the voice of patriotism—yes, the patriotism of man, —of country—of future ages, will command attention with a sovereign call. The extent, capacity and resources of a land crowned with blessings will appear as in the hand of your national guardian angel, rising majestically before your view, beckoning to active exertion, and saying this is the time for the welfare of the world and its increasing millions—for the glory of the God of your fathers—that you should erect your altars to his honor who hath done so much for you. Altars and temples—on which all that love knowledge and honor their God, may behold with instruction and delight the beauties of his works, and call with the sweet singer of Israel on the rocks and mountains to praise him, of whose greatness and goodness there is no end.—May the children of those men who first floated the banner of national liberty over the world, arise—rally round the standard of your intellectual greatness, and fill up with illustrious characters the yet unwritten volumes of your literary and scientific glory.

But before I presume to lift a finger to point the road to this eminence, the very thought of which moves with delight every power of my mind, allow me to say, I have not to submit to thy attention one *imported thought*, except in matters of illustrative facts. I am only giving you back your own, in offering suggestions which are of American origin; I may call them the growth of your soil. They have sprung up and matured in my mind since I first trod your shores. They have originated in an heart formed in many ways to seek the welfare of its fellow immortals,—while engaged in expanding and cherishing among 50,000 of your citizens the love of general education; and indeed, I shall be richly rewarded if these hints should prove indigenous to the future welfare of your children, rising in peace and loveliness around your tables.

To exemplify my meaning, I shall be compelled to *suppose* some measures realized, that my friendly reader may judge whether the end be commensurate with the expectations already excited; and in the sequel, to demonstrate that the means are easy. Economy the leading feature of a magnificent national design—the expense in fact, only a few removes from non-entity. The love of science and your country, the only principle of action, which will crown with success a great undertaking—one which I ought to feel myself authorised in

supposing a principle as common in the country as the air we breathe or the earth on which we tread.

To this principle of pure patriotism is to be added the power of accumulation even with small means. A power which must become wonderful and mighty, when the hearts and minds of the leaders of your millions shall call into general action those feelings which, if I am not greatly mistaken, it is the wish of the nation to cherish and expand.

This country abounds with the immense riches of nature; the botanical part of these collected by *specimen* into any one or more places, would exhibit a concentration of the materials for this department of knowledge which must stand unrivalled in the face of all nations, if the contribution of articles were *completely* made from one extremity of the union to the other. In the *extent* of a national collection, embracing every tribe and variety of plants, the benefit would only be equalled by the magnitude of the collection; but what "treasures untold" would be conferred on the farmer, gardener and physician—what a magnificent scenery would it present to the student of nature and the man of scientific research, were specimens of every soil, and growth collected together? In like manner, what a noble *counterpart* would be presented to view,—the combination and analysis to which they might be subjected, would open new prospects of nature to the experimental philosopher, and tend to perfect a practical theory of soils, and their capacities—a subject of high importance to any agricultural nation, but to *this* nation, of the greatest consequence. Formed as these states are by nature to progress in an agricultural population, the power of intimate acquaintance with *ALL* the soils and productions of the country, is not only of national and scientific importance, but to the statesman and legislator they afford a key to the resources of the land, and enable them to foster and cherish every measure which may cause the light of truth to beam with refulgence on the morning day of the people for whom they legislate.

Suppose the geological and mineral productions of all the states, concentrated by a complete collection of specimens, in any peculiar spot—what a field of information? what material for experiment? what authority for literary reference? what a bird's eye view would they give to man of the wonders of creation?

Materials would be thus concentrated to enlarge various departments of knowledge, which cannot fail to exalt, adorn and dignify the nation, in its possession; but the organic remains of the most ancient times would arise to view, with all the veneration with which remote ages can cover any of their relics, and *cause the admiring citizen to exclaim—*

"Of one departed world
"I see the mighty shadow."

The specimens of soils and productions would furnish materials for a map of the *surface* of the land, accompanied by minute tables of the produce. In like manner the geological strata, the connection and course of minerals and metals, would furnish materials for suitable maps on an accurate and extensive scale. Here then is the means of forming a *register* of national resources—pointing out an interchange for mutual benefit—a clue to mineral and metallic treasure. What a scenery of wonder, instruction and delight would such a collection present to the astonished beholder! Is there any item in these measures which, once realized, would not afford a mental feast to every enquiring mind?

If the student, the scholar and the christian may exult with joy at the prospect contemplated, is there no room for Americans to exult with patriotic feelings, at the distinction which this country would possess among the nations? That nation which shall be *first*, from patriotism and from principle, to realize such national collections, will command the homage of the present and future ages. Will not the eyes of the world, as well as those of the disciples of learning and lovers of science, be turned on a people who may take the lead in such a measure? May not America thus teach, by example, nations ancient in history, while they have not yet seen half a century before they take rank in the vigor of political and intellectual maturity? Would not such measures show the world that American genius is of Heraclean growth—that it has strangled the monster ignorance, the curse of nations, as a serpent in the cradle, and risen to that eminence of mind which alone can qualify individuals or legislatures, justly to appreciate and improve their resources, and place public legislators in the position of men who can *clearly* see a great end and *firmly* pursue it

who can also attain the act of accomplishing a great purpose by the smallest possible means. London and Paris may justly boast museums of curiosities, of wonders, that at once astonish, entrance and enrich the mind—but no nation ever reared such extensive establishments, at national expense, as national patriotism may rear in America. But, my friend, while I anticipate that the advantage of such unrivalled collections will be fully admitted, I expect that I may be told that the warmth of a generous heart has carried me into the imaginations of a fairy land; that you, as a nation, have not the resources to defray the attendant expense, or the energy to affect such stupendous measures as those which may leave the mature institutions of scientific Europe at a distance. As to the question of expense, a little patience will shew that it is the *patriotism*, and not the *pockets*, of your citizens for which I am forming a plan of *taxation*. As to the want of energy, I must respectfully avow myself not disposed to credit the existence of such apathy, till time himself, with his grave countenance and unbending firmness, shall do more than I expect—shall tell me that your energies are dead, not dormant, and that your patriotism is made only of gun-powder, and that the largest preparation of this stock has evaporated away amidst the shoutings of battle and clamor of victory.

There are three common methods of raising such museums—

1. At the *national expense*;
2. On individual risk;
3. By donations of the possessors of curiosities

The last affords me the foundation of my hopes. With the exception of suitable buildings, little or no national expense is likely to be essential to produce a splendor of result which shall eventually exceed the most sanguine imagination.

In this case the first object is to find proper persons to make *selections*; secondly, to transport them to their respective depots—and, thirdly, to have the articles arranged in proper museums for exhibition, at a price for admission which will support the establishment.

If each of the national representatives and senators were to unite with himself a few intelligent friends, as a local committee, to make selections of specimens in his district—the representatives taking charge of such articles, to transmit them to head-quarters, for a WASHINGTON NATIONAL MUSEUM—the yearly attendance of the legislature would

bring an annual aggregation of articles which would increase beyond estimation. The representatives to the state legislatures would surely do the same. Duplicates might be exchanged, and then every state legislature would have, at some central place, a state museum, and the exchange of duplicates of the natural productions of *one state for another*, would produce an interchange of good offices, and replenish and carry the national museum to perfection.

But it is not the members of the state legislatures and national representatives alone to whom this appeal should be made. The physicians and medical men of the United States have generally an inclination to scientific research—they are mostly well prepared, by a knowledge of chemistry and experimental philosophy, to become patriotic agents in such a public spirited undertaking. The officers of the army and navy, the civil magistrates, the members of literary societies, the judges of the supreme and state judicatures, with counsellors at law, and last, though not least, the planter and agriculturalist, all possess opportunities of enriching such a treasury by making selections and suitable enquiries after specimens.

Do you as a nation, wish to possess a million of samples illustrative of the natural resources of your country? Are there not twenty-thousand of your sons, anxiously alive to your interest, possessing patriotism enough to make selections and in many instances to convey them to the appointed spots, or in all cases, to see their safe carriage? Have you not a steam boat conveyance on your rivers and on your lakes for several thousand miles? Have you not a regular line of coasting trade, offering a facility of intercourse equal to its extent? Is there a master of a steam boat, of a coasting vessel, or of a land carriage line, who would not often volunteer the conveyance carriage free of a few pounds weight of valuable specimens? Surely if the thing may be only proposed and understood aright, tens of thousands of citizens would volunteer, both for state and individual selections; if in a few extra cases, the bulk of articles should require expense, then may not a small local subscription generally be made to pay half price, for which the public spirit of patriotism might be called on to convey such materials for public service.

De Witt Clinton has distinguished his government by his energetic exertions to complete the grand canal; what a line of intercourse does that canal present? How readily may the treasures of nature be brought from the Hudson, the lakes, the St. Lawrence, the Mississippi, with ten thousand tributary streams of smaller note, which feed these great waters, all of which may be employed to bring the tribute of a nation to the treasury of science? In regard to inland carriage, the judges who go their circuits, the counsellors that follow them, rest in general at certain central points, to which the most intelligent inhabitants of the district often resort for the purpose of justice, and in the intercourse which attends relaxation from the purposes of duty. Is not this a patriotic subject of enquiry, when at the point of contact with people possessed of local knowledge, and willing to give information? Do not for a moment suffer it to be imagined, that I consider the American nation as destitute of museums; there are some in Philadelphia and Baltimore, and perhaps in other cities, which are the labor of individuals, whose trouble in raising such institutions do them equal honor as men, and friends of science. So far from these being neglected, I should recommend all being aided

and enriched, by public zeal; still this leaves ample room for national, state and college museums. It is not to find or create the charge of remissness that I take the pen; it is from a wish that such institutions should rise to that wonderful scale of perfection, which the public sense of duty in a nation, is alone competent to call into action, on a bearing commensurate with the riches of its resources, and the dignity of its future days.

With your hundreds and thousands of fellow citizens engaged in public duties—*professedly patriots*, guardians and friends of your public interest,—is it possible that your energies are so dormant, so incapable of being roused, or so unfit for combination and energy in any thing but revolution and war, as to furnish no fulcrum on which the lever of public interest may rest, and by which measures for national good and honor may be put in motion? Let who will be the first American to believe this assertion, I hope I shall be the last European to admit the conclusion as correct. I am ready to say, away with the thought—it is too degrading, nay, ignominious, for any man to cherish or attach to a generous spirited people.

Will not patriotism find among your sea captains and merchants cheerful hearts and active hands by thousands, to search for articles for such museums, will not your pilots port their vessels with more pleasure when each American navigator can lay his hand on his heart and say with exultation, that not a sail is ever unfurled, or does the flag of his country float on ocean, sea or river, but to bring some wonder of art, some treasure for the museum, which shall be a light to the world and the glory of his people? If the patriotism of your national and state representatives would only rear the standard of science, is there a true American from the youth of your colleges to the most virtuous leaders of your nation, that would not glory in the elevation, and swell the train of its supporters? Hitherto the powers of nations have been combined almost only to make or resist aggression—but are all the energies, sacred to humanity, to be monopolized by war and he everlastingly devoted to render the earth an aceldama, a field of blood? Is the sword to devour forever?—or are the sons of liberty and science now to join hand and heart in collecting those materials which shall contribute to increase the welfare of mankind—and the light of knowledge a thousand fold?

If it be needful for those who are to guide the helm intimately to know the power and resources of their country, surely this measure, which would concentrate these things in a focus before them, is worthy their candid attention and cordial support; for this advantage in general, is to be obtained by the simple expense of a museum which would pay its charge of building by admission?

It seems proper that in making selections *nothing* should be omitted that may be useful. The analysis of soils most barren as well as those most fruitful, afford double means of instruction on one subject. A few years past a quantity of lime was laid on some land in England—the more lime was laid on the land the more unproductive became the harvest. That lime, usually considered as a means of fertility to the land, should render it barren, was to the parties a matter strange and new. Specimens were finally sent for analysis to sir Humphrey Davy; he made the analysis and gave a solution to the enigma—the lime was found to be blended with magnesia. The presence of magnesia in the lime shewed the existence of a principle injurious to vegetation. Here then is a simple article rendered of

great importance to the benefit or detriment of agriculture; for magnesian lime stone exists in this country. Marl is another article capable of fertilizing the earth in exhausted soils, in a wheat country especially it is of great importance. It may often exist useless because unknown. The present vice president of the United States has on his land at Staten Island, a specimen of stone marl—the stone is often dug from under the surface, and often found near it. It gradually breaks and decomposes itself when exposed to the air, and finally becomes equal to any rich vegetable garden mould. In how many other cases would this advantage have existed unimproved? The *very* stones which are better than any manure, being perhaps *picked out* at a considerable expense, and thrown away as an incumbrance to the ground, and then manure laid on at much cost. Iron is a very common ore, yet boundless as it is as to quantity in England, the iron of Sweden is indispensable to the perfection of some of the English manufactures. Does not this important difference in a common metal, indicate the propriety of collecting specimens of *iron ore* from every possible extremity of a country that ranges under so many degrees of latitude, as the United States? These observations are made to impress the importance of attending to small matters—their weight will be corroborated by the consequence which *fuler's* earth, clay in its pure state, without admixture of silex, is to the English woolen manufactures; so much so in the estimation of the British parliament as to cause heavy penalties to have been formerly enacted to prevent its exportation. Surely this valuable article needs to be known and its existence in every place marked out.*

Many more instances of equal importance may be found. To look at what cloth manufacturers call the *TEAZLE*, a rough thorny thistle, can hardly appear more unimportant; but it furnishes an article for finishing cloth of so much importance that a person has been known to travel part of France with a view of procuring a quantity of this article for English consumption. Teazles present a number of exquisitely fine points for raising the knap on cloth, which no experienced artist working in steel could possibly manufacture at such a price as to be of any use, if he could manufacture them *at all*.—Such a national museum should be on a scale which may shew that nothing is *too little* or *too great* for the proper notice, due to forming into regular classes the grand museum, for the purpose of teaching an admiring world what patriotism is capable of effecting for a country like yours.

The *principal* object in such institutions should be domestic resources, but this would not preclude foreign additions as a branch of the museum—and duplicates being collected, in many cases, would serve as medium of exchange with foreign countries, so as to render the intercourse which should be a mutual benefit, the means of adding the specimens of the world's resources to these of the nation.

Every ship that sailed from the ports of the United States, should be made liable to a small extra duty, unless some natural curiosities, according to required general notices, should be presented by the captain or merchants. This duty should be small, but sufficient to induce a desire to *avoid it*, on the easy terms of bringing such foreign speci-

*Clay appears a common article and may be therefore despised. But the clays of this country are often blended with *iron*. To find clay free from this mixture is almost indispensable to perfection of pottery manufacture.

mens as might easily be accessible—in every case to be deposited at the custom house, prior to the clearance of the cargo. The inhabitants of Salem, New England, afford an instance of a museum, formed on a small but respectable scale—by voluntary contributions from the sea captains bound to the East Indies—The instance is worthy of the citizens of a town, well known to be alive to any thing good or useful. But, as the natural scale will be extensive, the levying of a trifling duty in case of no specimen being produced, would add to the fund; I am, however, inclined to doubt the propriety even of any *taxation* except on patriotism, and that more noble as being altogether free and unshackled.

The names of donors who render important benefits, to be registered in the institution, in a record of honorable services; those who render the most important benefits, to be annually reported to the legislative bodies and their names published as an example.

Whenever an American citizen, goes to a foreign country, as a passenger, and returns without a specimen or deposit at the custom house, a *small duty* levied in such case would be paid with pleasure—averse as I am to any taxation on this subject. If money is to be raised for a national building by public duties, such as bear on foreign pursuits appear the most natural objects.

Before I close this communication allow me to make one more suggestion.

There is not a finer country in the world for landscape scenery than America.

Abundance of persons can be found capable of drawing an *outline*, in a nation which is yet in infancy, when to find the same number able to make a perfect drawing, would be a difficulty.

But the collection of great number of *outlines* may be a nursery of the art of *design*. Let patriotism call on the daughters as well as the sons of the country, to present *sketches* in the rough state—*simply* of correct sketches of scenery *from nature*; let these outlines be forwarded, post free, to a proper office at the national museum; and, without expense, a gallery of outlines might be formed of all the landscape scenery of the United States, on such an extensive scale as to astonish. A book of references should be kept of the names of the authors, but not published or exhibited without their consent.—In all cases a reference is to be expected for the *correctness* of the design. The young artist might thus have access to all the beauties of scenery which natural landscape in outline could furnish. More perfect and finished specimens need not be rejected as patriotic presents; but a gallery of outline would gradually prepare the way for a more perfect school of design.

Engravers should be requested to forward specimens of all their engravings to the same depository, as affording a criterion of the progress of the arts of design and engraving in this nation.

These hints may appear to bear only on the general accomplishments of drawing and painting, but they equally apply to the arts of design for manufactures; and, *ultimately*, domestic manufactures, requiring the arts of design, *must* grow and flourish in this country. Were the French art of lithography generally used, copies for other museums might be multiplied at a small expense, and without number. Surely this grand improvement will not be neglected in the United States!

The display of legislative and individual patriotism would not be a sacrifice. No! every exertion of patriotic feeling would operate as capital placed out at compound interest. Eventually, *all* the col-

leges would have their museums to aid and illustrate their professors when lecturing on natural and experimental philosophy—their cabinets of metals, minerals and plants to illustrate the bounty of Providence, and point out the means of improving the land: but in the galleries of outline, as well as in the foreign specimens which would adorn the temples of science, the youth of the schools and colleges would repay their parent's efforts—they would carry the benefits reaped from national patriotism into the bosom of their family circles—they would turn social converse into an intellectual feast—they would botanize in nature's garden, and present the most fragrant flowers and precious fruits to the eyes of those whose love of their country had sown the seed, of which they would deserve to reap the precious harvest.

I appeal to my generous friend, who first taught me to appreciate that warmth of patriotism with which a Virginian heart can glow, for the following circumstances:—A large quantity of shells are often found in the neighborhood of Williamsburg; they are a specimen of large fluted *oyster-shell*, known to extend to Choptank river in Maryland—yet *this* species of oyster is wholly extinct in the neighboring rivers, abounding with the common oysters; a strong indication of a great revolution, that could extinguish one species and make room for another. The accurate extent of this bed is a subject worthy examination and report. In the eastern states, amidst primitive rock formations, this species, now extinct in James' river, is yet to be found. At Richmond, *shark's* teeth are often dug up and but rarely preserved. In England the mines of coal often present vegetable and fossil remains. Do such instances occur in the mines of Virginia and Pittsburg, and are they lost or neglected? Do not such examples as these establish the fact, that *nothing*, which can be made useful or instructive, ought to be omitted in the formation of such an institution?

In case any prospect of success should be likely to open in consequence of these suggestions, I shall be happy to give such hints and information as may be in my power to forward the object; but my wish is only to point the way and render any auxiliary aid, leaving to your native genius the task of travelling the paths of light, and ascending, with an eagle-eye, to the meridian height of scientific discovery.

I have now so greatly occupied the attention of my friends on the subject of public and state museums, that I must defer that of *national education*, and the extension of the Lancasterian system in the United States, to be the subject of another communication. I hope, however, to succeed in shewing that, if you possess the will, as a nation, you have the power of banishing ignorance from the mind of every child within your borders—of rendering future generations children of light, who shall walk in the splendor of seven-fold meridian day.

Having discharged the duty of gratitude, in contributing my mite to promote your country's prosperity, I hope speedily to shew that the Lancasterian system of education possesses superior powers of utility to those generally known in this country,—which I hope may possess it, and every good, in the greatest perfection. And now my honored friend, Burwell Bassett, grateful for thy hospitality and kindness, a well wisher to science and knowledge, to thy country's prosperity and thy own—a friend of every man worthy of being thy condisciple or compatriot,—I remain, very respectfully, as a citizen of the world, thy friend and fellow-citizen,

JOSEPH LANCASTER.

The Missouri Question.

MR. KING'S SPEECHES.

Jamaica, (J. L.) Nov. 22, 1817.

Gentlemen—Conformably to your request in behalf of the committee appointed by the late meeting in the city, on the business of the Missouri bill, I have the honor to send to you the substance of two speeches that I delivered in the senate of the United States, when this bill was under its consideration.

As my notes are imperfect, I may have omitted some remarks made on that occasion, and added others which were not made; the communication, however, contains the substance of my observations, and present opinions on this important subject—I am particularly anxious not to be misunderstood in this case, never having thought myself at liberty to encourage, or to assent to any measure that would affect the security of property in slaves, or tend to disturb the political adjustment which the constitution has established respecting them; I desire to be considered as still adhering to this reserve; and that the observations which I send you, should be construed to refer, and to be confined, to the prohibition of slavery in the new states to be formed beyond the original limits of the United States—a prohibition which, in my judgment, congress have the power to establish, and the omission of which may, as I fear, be productive of most serious consequences.

With great respect and esteem, I have the honor to be, gentlemen, your most obedient servant,

RUFUS KING.

Messrs. John B. Coles, and John T. Irving, chairman and secretary of the committee appointed by the late city meeting, respecting the Missouri bill,

The observations follow:

The substance of two speeches on the Missouri bill—delivered by Mr. King, in the senate of the United States, during their last session.

The constitution declares "that congress shall have power to dispose of, and make all needful rules and regulations respecting the territory and other property of the United States." Under this power, congress have passed laws for the survey and sale of the public lands, for the division of the same into separate territories; and have ordained for each of them a constitution, a place of temporary government, whereby the civil and political rights of the inhabitants are regulated, and the rights of conscience and other natural rights are protected.

The power to make all needful regulations, includes the power to determine what regulations are needful: and if a regulation prohibiting slavery within any territory of the United States be, as it has been, deemed needful, congress possess the power to make the same, and moreover to pass all laws necessary to carry this power into execution.

The territory of Missouri is a portion of Louisiana, which was purchased of France, and belongs to the United States in full dominion; in the language of the constitution, Missouri is their territory, or property, and is subject, like other territories of the United States, to the regulations and temporary government which has been, or shall be, prescribed by congress. The clause of the constitution, which grants this power to congress, is so comprehensive and unambiguous, and its purpose so manifest, that commentary will not render the power, or the object of its establishment, more explicit or plain.

The constitution further provides, that "new states may be admitted by congress into the union."

--As this power is conferred without limitation, the time, terms, and circumstances of the admission of new states are referred to the discretion of congress—which may admit new states, but are not obliged to do so—of right no new state can demand admission into the union, unless such demand be founded upon some previous engagement with the United States.

When admitted by congress into the union, whether by compact or otherwise, the new state becomes entitled to the enjoyment of the same rights, and bound to perform the like duties as the other states, and its citizens will be entitled to all privileges and immunities of citizens in the several states.

The citizens of each state possess rights, and owe duties that are peculiar to, and arise out of the constitution and law of the several states. These rights and duties differ from each other in the different states, and among these differences, none is so remarkable or important as that which proceeds from the constitution and laws of the several states respecting slavery; the same being permitted in some states, and forbidden in others.

The question respecting slavery in the old thirteen states had been decided and settled before the adoption of the constitution, which grants no power to congress to interfere with, or to change what had been previously settled—the slave states, therefore, are free to continue or to abolish slavery. Since the year 1808, congress has possessed power to prohibit, and have prohibited the farther migration or importation of slaves into any of the old thirteen states, and at all times under the constitution have had power to prohibit such migration or importation, into any of the new states or territories of the United States. The constitution contains no express provisions respecting slavery in a new state that may be admitted into the union: every regulation upon this subject, belongs to the power whose consent is necessary to the formation and admission of such state. Congress may, therefore, make it a condition of the admission of a new state, that slavery shall be forever prohibited within the same. We may, with the more confidence, pronounce this to be the construction of the constitution, as it has been so amply confirmed by the past decisions of congress.

Although the articles of confederation were drawn up and approved by the old congress, in the year 1777, and soon afterwards were ratified by some of the states, their complete ratification did not take place until the year 1781. The states which possessed small and already settled territory, withheld their ratification, in order to obtain from the larger states a cession to the United States of a portion of their vacant territory. Without entering into the reasons on which this demand was urged, it is well known that they had an influence on Massachusetts, Connecticut, New York and Virginia, which states ceded to the United States their respective claims to the territory lying northwest of the river Ohio. This cession was made on the express condition, that the ceded territory should be sold for the common benefit of the United States; that it should be laid out into states, and that the states so laid out should form distinct republican states, and be admitted as members of the federal union, having the same rights of sovereignty, freedom, and independence as the other states. Of the four states which made this cession, two permitted, and the other two prohibited slavery.

The United States having in this manner become proprietors of the extensive territory northwest of

the river Ohio, although the considerations contained no express provision upon the subject, congress, the only representation of the United States, assumed, as incident to their office, the power to dispose of this territory; and for this purpose, to divide the same into distinct states, to provide for the temporary government of the inhabitants thereof, and for their ultimate admission, as new states, into the federal union.

The ordinance for these purposes, which was passed by congress in 1787, contains certain articles which are called—"Articles of compact between the original states, and the people and states within the said territory, forever to remain unalterable unless by common consent." The sixth of those unalterable articles provides, "that there shall be neither slavery nor involuntary servitude in the said territory."

The constitution of the United States supplies the defect that existed in the articles of confederation and has vested congress, it has been stated, with ample powers on this important subject. Accordingly, the ordinance of 1787, passed by the old congress, was ratified and confirmed by an act of the new congress, during their first session under the constitution.

The state of Virginia, which ceded to the United States her claims to this territory, consented by her delegates in the old congress to this ordinance—not only Virginia, but North-Carolina, South Carolina and Georgia, by the unanimous votes of their delegates in the old congress, approved of the ordinance of 1787, by which slavery is forever abolished in the territory north west of the Ohio. Without the votes of these states, the ordinance could not have passed; and there is no recollection of an opposition from any of these states to the act of confirmation, passed under the actual constitution—Slavery had long been established in these states—the evil was felt in their institutions, laws and habits, and could not easily or at once be abolished. But these votes, so honorable to these states, satisfactorily demonstrates their unwillingness to permit the extension of slavery into the new states which might be admitted by congress into the union.

The states of Ohio, Indiana, and Illinois, on the north west of the river Ohio, have been admitted by congress into the union, on the condition and conformably to the articles of compact, contained in the ordinance of 1787, and by which it is declared that there shall be neither slavery nor involuntary servitude in any of the said states.

Although congress possess the power of making the exclusion of slavery a part or condition of the act admitting a new state into the union, they may in special cases, and for sufficient reasons, forbear to exercise this power. Thus Kentucky and Vermont were admitted as new states into the union, without making the abolition of slavery the condition of their admission. In Vermont slavery never existed; her laws excluding the same. Kentucky was formed out of, and settled by Virginia, and the inhabitants of Kentucky, equally with those of Virginia, by fair interpretation of the constitution, were exempt from all such interference of congress as might disturb or impair the security of their property in slaves. The western territory of North Carolina and Georgia having been partially granted and erected under the authority of these states before the cession thereof to the United States, and these states being original parties to the constitution, which recognizes the existence of slavery, no measure restraining slavery could be applied by

congress to this territory.—But to remove all doubts on this head, it was made a condition of the cession of this territory to the United States, that the ordinance of 1787, except the sixth article thereof, respecting slavery, should be applied to the same; and that the sixth article should not be so applied. Accordingly, the states of Tennessee, Mississippi and Alabama, comprehending the territory ceded to the United States by North Carolina and Georgia, have been admitted as new states into the union, without a provision by which slavery shall be excluded from the same. According to this abstract of the proceedings of congress in the admission of new states into the union, of the eight new states within the original limits of the United States, four have been admitted without an article excluding slavery; three have been admitted on the condition that slavery should be excluded; and one admitted without such condition. In the four first cases, congress were restrained from increasing the power to exclude slavery; in the next three, they exercised this power; and in the last it was unnecessary to do so, slavery being excluded by the state constitution.

The province of Louisiana, soon after its cession to the United States, was divided into two territories, comprehending such parts thereof as were contiguous to the river Mississippi, being the only parts of the province that were inhabited. The foreign language, laws, customs and manners of the inhabitants, required the immediate and cautious attention of congress, which, instead of extending in the first instance to these territories the ordinance of 1787, ordained special regulations for the government of the same. These regulations were from time to time revised and altered, as observation and experience shewed to be expedient, and as was deemed most likely to encourage and promote those changes which would soon qualify the inhabitants for self government, and admission into the union. When the United States took possession of the province of Louisiana in 1814, it was estimated to contain fifty thousand white inhabitants, forty thousand slaves, and two thousand free persons of colour.* More than four-fifths of the whites, and all the slaves, except about thirteen hundred, inhabited New-Orleans and the adjacent territory; the residue, consisting of less than ten thousand whites, and about thirteen hundred slaves, were dispersed throughout the country now included in the Arkansas and Missouri territories. The greater part of the thirteen hundred slaves were in the Missouri territory; some of them having removed thither from the old French settlements on the east side of the Mississippi, after the passing of the ordinance of 1787, by which slavery in those settlements was abolished.

In 1812, the territory of New Orleans, to which the ordinance of 1787, with the exception of certain parts thereof, had been previously extended, was permitted by congress to form a constitution and state government, and admitted as a new state into the union, by the name of Louisiana. The acts of congress for these purposes, in addition to sundry important provisions respecting rivers and public lands, which are declared to be irrevocable, unless by common consent, annex other terms and conditions whereby it is established, not only that the constitution of Louisiana should be republican,

*This estimate was too high, as by the census of 1810, the whole province was found to contain only 97,000 inhabitants, viz. 51,000 whites, 37,000 slaves, 8,000 free persons of colour.

but that it should contain the fundamental principles of religious liberty, that it should secure to the citizens the trial by jury in all criminal cases, and the privilege of the writ of habeas corpus, according to the constitution of the United States; and after its admission into the union, that the laws which Louisiana might pass, should be promulgated, its records of every description preserved, and its judicial and legislative proceedings conducted in the language in which the laws and judicial proceedings of the United States are published and conducted.

Guards so friendly to the rights of the citizens, and restraints on the state sovereignty so material to the gradual confirmation and security of their liberties, demonstrate the extensive and parental power of congress; powers, the wise exercise of which, on this occasion, is not confined to the inhabitants of the new state, but reaches and protects the rights of the citizens of all the states. The habits of the people, and the number of slaves by whom the labor of the territory of New Orleans was performed, were doubtless the reason for the omission of an article in the act of admission, by which slavery should be excluded from the new state.

Having annexed these new and extraordinary conditions to the act for the admission of Louisiana into the union, congress may, if they shall deem it expedient, annex the like conditions to the act for the admission of Missouri; and, moreover, as in the case of Ohio, Indiana and Illinois, provide, by an article for that purpose, that slavery shall not exist within the same.

Admitting this construction of the constitution, it is alleged that the power by which congress excluded slavery from the states north west of the river Ohio, is suspended in respect to the states that may be formed in the province of Louisiana. The article of the treaty referred to declares.—“That the inhabitants of the territory shall be incorporated in the United States, and admitted as soon as possible, according to the principles of the federal constitution, to the enjoyment of all rights, advantages and immunities of citizens of the United States; and, in the mean time, they shall be maintained and protected in the free enjoyment of their liberty, property, and the religion which they profess.”

Although there is a want of precision in the article, its scope and meaning cannot be misunderstood. It constitutes a stipulation, by which the United States engage that the inhabitants of Louisiana should be formed into a state or states, and as soon as the provisions of the constitution permit, that they shall be admitted as new states into the union, on the footing of the other states; and before such admission, and during their territorial government, that they shall be maintained and protected by congress in the enjoyment of their liberty, property and religion. The first clause of this stipulation will be executed by the admission of Missouri as a new state into the union, as such admission will impart to the inhabitants of Missouri “all the rights, advantages and immunities,” which citizens of the United States derive from the constitution thereof;—these rights may be denominated federal rights, are uniform throughout the union, and are common to all its citizens: But the rights derived from the constitution and laws of the states, which may be denominated state rights, in many particulars, differ from each other. Thus, while the federal rights of the citizens of Massachusetts and Virginia are the same, their state rights are however dissimilar, slavery being forbidden in one, and per-

mitted in the other state. This difference arises out of the constitutions and laws of the two states, in the same manner as the difference in the rights of the citizens of these states to vote for representatives in congress arises out of the state laws and constitution. In Massachusetts, every person of lawful age, and possessing property, of any sort, of the value of two hundred dollars, may vote for representatives to congress. In Virginia, no person can vote for representatives to congress unless he be a freeholder. As the admission of a new state into the union confers upon its citizens only the right denominated federal, and as these are common to the citizens of all the states, as well of those in which slavery is prohibited, as of those in which it is allowed, it follows that the prohibition of slavery in Missouri will not impair the federal rights of its citizens, and that such prohibition is not restrained by the clause of the treaty which has been cited.

The remaining clause of the article is expressly confined to the period of the territorial government of Missouri, to the time between the first occupation of the country by the United States, and its admission as a new state into the union. Whatever may be its import it has no reference nor application to the terms of the admission, or to the condition of Missouri after it shall have been admitted into the union. The clause is but the common formula of treaties, by which inhabited territories are passed from one sovereign to another; its object is to secure such inhabitants the permanent or temporary enjoyment of their former liberties, prosperity and religion, leaving to the new sovereign full power to make such regulations respecting the same, as may be thought expedient, provided these regulations be not incompatible with the stipulated security.

What were the liberties under the French government, the enjoyment of which under ours called for protection, we were unable to explain; as the United States have no power to prevent the free enjoyment of the catholic religion, no stipulation against their interference to disturb it could be necessary; and the only part of the clause whose object can be readily understood is that relative to “property.”

As all nations do not permit slavery, the term property in its common and universal meaning does not include or describe slaves. In treaties therefore between nations, and especially in those of the United States, whenever stipulations respecting slaves were to be made, the word “negroes,” or “slaves,” have been employed, and the omission of these words in this clause, increases the uncertainty whether, by the term property, *slaves* were intended to be included. But admitting that such was the intention of the parties, the stipulation is not only temporary, but extends no further than to the property actually possessed by the inhabitants of Missouri, when it was first occupied by the United States.—Property since acquired by them, and property acquired or possessed by the new inhabitants of Missouri, has in each case been acquired under the laws of the U. States, and not during and under the laws of the province of Louisiana. Should therefore the future introduction of slaves into Missouri be forbidden, the feelings of the citizens would soon become reconciled to their exclusion, and the inconsiderable number of slaves owned by the inhabitants at the date of the cession of Louisiana, would be emancipated or sent for sale into states where slavery exists.

It is further objected, that the article of the act of admission into the union, by which slavery should

be excluded from Missouri, would be nugatory, as the new state, in virtue of its sovereignty, would be at liberty to revoke its consent, and annul the article by which slavery should be excluded.

Such revocation would be contrary to the obligations of good faith, which enjoins the observance of our engagements—it would be repugnant to the principles upon which government itself is founded. Sovereignty in every lawful government is a limited power, and can do only what is lawful to do—sovereigns, like individuals, are bound by their engagements, and have no moral power to break them. Treaties between nations repose on this principle. If the new state can revoke and annul an article constructed between itself and the United States, by which slavery is excluded from it, it may revoke and annul any other article of the compact; it may for example annul the article respecting public lands, and in virtue of its sovereignty, assume the right to tax and to sell the lands of the United States.

There is yet a more satisfactory answer to this objection. The judicial power of the United States is co-extensive with their legislative power, and every question arising under the constitution, or laws of the United States, is cognizable by the judiciary thereof. Should the new state rescind any of the articles of compact contained in the act of admission into the union, that for example by which slavery is excluded, and should pass a law authorizing slavery, the judiciary of the United States, on proper application, would immediately deliver from bondage any person detained as a slave in said state; and in like manner, in all instances affecting individuals, the judiciary might be employed to defeat every attempt to violate the constitution and laws of the United States.

If congress possess the power to exclude slavery from Missouri, it still remains to be shown that they ought to do so. The examination of this branch of the subject, for obvious reasons, is attended with peculiar difficulty, and cannot be made without passing over arguments which to some of us might appear to be decisive, but the use of which in this place, would call up feelings, the influence of which would disturb, if not defeat, the impartial consideration of the subject.

Slavery unhappily exists within the United States. Enlightened men in the states where it is permitted, and every where out of them, regret its existence among us, and seek for the means of limiting and of mitigating it.—The first introduction of slaves is not imputable to the present generation nor even to their ancestors. Before the year 1642, the trade and ports of the colonies were open to foreigners equally as those of the mother country, and as early as 1620, a few years only after planting the colony of Virginia, and the same in which the first settlement was made in the old colony of Plymouth, a cargo of negroes was brought into, and sold as slaves in Virginia by a foreign ship.* From this beginning the importation of slaves was continued for nearly two centuries. To her honor, Virginia, while a colony, opposed the importation of slaves, and was the first state to prohibit the same, by a law passed for this purpose in 1778, thirty years before the general prohibition enacted by congress in 1808. The laws and customs of the states in which slavery has existed for so long a period, must have had their influence on the opinions and habits of the citizens, which ought not to be disregarded on the present occasion.

Omitting therefore the arguments which might be urged, and which by all of us might be deemed conclusive, were this an original question, the reasons which shall be offered in favor of the interposition of the power of congress to exclude slavery from Missouri, shall be only such as respect the common defence, the general welfare, and that wise administration of government which as far as possible may produce the impartial distribution of benefits and burdens throughout the union.

By the articles of confederation, the common treasury was to be supplied by the several states according to the value of the land, with the houses and improvements thereon, within the respective states. From the difficulty in making this valuation, the old congress were unable to apportion the requisitions for the supply of the general treasury, and obliged the states to propose an alteration of the articles of confederation, by which the whole number of free persons, with three-fifths of the slaves contained in the respective states, should become the rule of such apportionment of the taxes. A majority of the states approved of this alteration, but some of them disagreed to the same; and for want of a practicable rule of apportionment, the whole of the requisitions of taxes made by congress during the revolutionary war, and afterwards, up to the establishment of the constitution of the United States, were merely provisional, and subject to revision and correction as soon as such rules should be adopted. The several states were credited for their supplies, and charged for the advances made to them by congress, but no settlement of their accounts could be made, for the want of a rule of apportionment, until the establishment of the constitution.

When the general convention that formed the constitution took the subject into their consideration, the whole question was once more examined, and while it was agreed that all contributions to the common treasury should be made according to the ability of the several states to furnish the same, the old difficulty recurred in agreeing upon a rule whereby such ability should be ascertained, there being no simple standard by which the ability of individuals to pay taxes can be ascertained. A diversity in the selection of taxes has been deemed requisite to their equalization. Between communities this difficulty is less considerable, and although the rule of relative numbers would not accurately measure the wealth of nations, in states in the circumstances of the United States, whose institutions, laws and employments are so much alike, the rule of number is probably as nearly equal as any other simple and practicable rule can be expected to be, (though between the old and new states its equity is defective); these considerations, added to the approbation which had already been given to the rule by a majority of the states, induced the convention to agree, that direct taxes should be apportioned among the states according to the whole number of free persons, and three-fifths of the slaves which they might respectively contain.

The rule for apportionment of taxes, is not necessarily the most equitable rule for the apportionment of representatives among the states;—property must not be disregarded in the composition of the first rule, but frequently is overlooked in the establishment of the second; a rule which might be approved in respect to taxes, would be disapproved in respect to representatives; one individual, possessing twice as much property as another, might be required to pay double the taxes of such other; but no man has two votes to another one;

* Stith's History of Virginia.

rich or poor, each has but one vote in the choice of representatives.

In the dispute between England and the colonies, the latter denied the right of the former to tax them, because they were not represented in the English parliament. They contended that, according to the law of the land, taxation and representation were inseparable. The rule of taxation being agreed upon by the convention, it is possible that the maxim with which we successfully opposed the claim of England, may have had an influence in procuring the adoption of the same rule for the apportionment of representatives; the true meaning, however, of this principle of the English constitution is, that a colony or district is not to be taxed which is not represented; not that its number or representatives shall be ascertained by its quota of taxes. If three fifths of the slaves are virtually represented, or their owners obtain a disproportionate power in legislation, and in the appointment of the president of the United States, why should not other property be virtually represented, and its owners obtain a like power in legislation, and in the choice of the president. Property is not confined to slaves, but exists in houses, stores, ships, capital in trade and manufactures. To secure to the owners of property in slaves, greater political power than is allowed to the owners of other and equivalent property, seems to be contrary to our theory of the equality of personal rights, inasmuch as the citizens of some states thereby become entitled to other and greater political power than citizens of other states. The present house of representatives consists of one hundred and eighty-one members, which are apportioned among the states in a ratio of one representative for every thirty-five thousand federal numbers, which are ascertained by adding to the whole number of free persons three-fifths of the slaves. According to the last census, the whole number of slaves within the United States was 1,191,564, which entitled the states possessing the same, to twenty representatives and twenty presidential electors more than they would be entitled to, were the slaves excluded. By the last census, Virginia contained 582,104 free persons, and 392,518 slaves. In any of the states where slavery is excluded, 582,104 free persons would be entitled to elect only sixteen representatives, while in Virginia, 582,104 free persons, by the addition of three-fifths of her slaves, become entitled to elect, and do in fact elect, twenty-three representatives, being seven additional ones on account of her slaves. Thus, while 35,000 free persons are requisite to elect one representative in a state where slavery is prohibited, 25,559 free persons in Virginia may, and do, elect a representative—so that five free persons in Virginia have as much power in the choice of representatives to congress, and in the appointment of presidential electors, as seven free persons in any of the states in which slavery does not exist.

This inequality in the apportionment of representatives was not misunderstood at the adoption of the constitution—but as no one anticipated the fact that the whole of the revenue of the United States would be derived from indirect taxes, (which cannot be supposed to spread themselves over the several states, according to the rule for the apportionment of direct taxes,) but it was believed that a part of the contribution to the common treasury would be apportioned among the states by the rule for the apportionment of representatives. The states in which slavery is prohibited, ultimately, though with reluctance, acquiesced in the dispro-

portionate number of representatives and electors that was secured to the slave holding states. The concession was, at the time, believed to be a great one, and has proved to have been the greatest which was made to secure the adoption of the constitution.

Great, however, as this concession was, it was definite, and its full extent was comprehended. It was a settlement between the thirteen states. The considerations arising out of their actual condition, their past connexion, and the obligation which all felt to promote a reformation in the federal government, were peculiar to the time and to the parties; and are not applicable to the new states, which congress may now be willing to admit into the union.

The equality of rights, which includes an equality of burdens, is a vital principle in our theory of government, and its jealous preservation is the best security of public and individual freedom; the departure from this principle in the disproportionate power and influence, allowed to the slave holding states, was a necessary sacrifice to the establishment of the constitution. The effect of this constitution has been obvious to the preponderance it has given to the slave holding states over the other states. Nevertheless, it is an ancient settlement, and faith and honor stand pledged not to disturb it. But the extension of this disproportionate power to the new states would be unjust and odious. The states whose power would be abridged, and whose burdens would be increased by the measure, cannot be expected to consent to it; and we may hope that the other states are too magnanimous to insist on it.

The existence of slavery impairs the industry and the power of a nation; and it does so in proportion to the multiplication of its slaves: where the manual labor of a country is performed by slaves, labor dishonors the hands of freemen.

If her laborers are slaves, Missouri may be able to pay money taxes, but will be unable to raise soldiers, or to recruit seamen, and experience seems to have proved that manufactures do not prosper where the artificers are slaves. In case of foreign war or domestic insurrection, misfortunes from which no state are exempt, and against which all should be seasonably prepared, slaves not only do not add to, but diminish the faculty of self-defence; instead of increasing the public strength, they lessen it, by the whole number of free persons whose place they occupy, increased by the number of freemen that may be employed as guards over them.

The motives for the admission of new states into the union, are the extension of the principles of our free government, the equalizing of the public burdens, and the consolidation of the power of the confederated nation. Unless these objects be promoted by the admission of new states, no such admission can be expedient or justified.

The states in which slavery already exists are contiguous to each other, they are also the portion of the United States nearest to the European colonies in the West Indies; colonies whose future condition can hardly be regarded as problematical. If Missouri, and the other states that may be formed to the west of the river Mississippi, are permitted to introduce and establish slavery, the repose, if not the security of the union may be endangered; all the states south of the river Ohio and west of Pennsylvania and Delaware, will be peopled with slaves, and the establishment of new states west of the river Mississippi, will serve to extend slavery instead of freedom over that boundless region.

Such increase of the states, whatever other interests it may promote, will be sure to add nothing to the security of the public liberties; and can hardly fail hereafter to require and produce a change in our government.

On the other hand, if slavery be excluded from Missouri, and the other new states which may be formed in this quarter, not only will the slave markets be broken up, and the principles of freedom be extended and strengthened, but an exposed and important frontier will present a barrier which will check and keep back foreign assailants, who may be as brave, and, as we hope, will be as free as ourselves. Surrounded in this manner by connected bodies of freemen, the states where slavery is allowed will be made more secure against domestic insurrection, and less liable to be affected by what may take place in the neighboring colonies.

It ought not to be forgotten, that the first and main object of the negotiation which led to the acquisition of Louisiana, was the free navigation of the Mississippi; a river that forms the sole passage from the western states to the ocean. This navigation, although of general benefit, has been always valued and desired, as of peculiar advantage to the western states; whose demands to obtain it, were neither equivocal nor unreasonable. But with the river Mississippi, by a sort of coercion, we acquired by ill or good fortune, as our future measures shall determine, the whole province of Louisiana. As this acquisition was made at the common expense, it is very fairly urged that the advantages to be derived from it should also be common. This it is said will not happen, if slavery be excluded from Missouri, as the citizens of states, where slavery is permitted, will be shut out, and none but citizens of states where slavery is prohibited can become inhabitants of Missouri.

But this consequence will not arise from the proposed exclusion of slavery, the citizens of states, in which slavery is allowed, like all other citizens, will be free to become the inhabitants of the Missouri, in like manner as they have become inhabitants of Ohio, Indiana and Illinois, in which slavery is forbidden. The exclusion of slavery from Missouri will not therefore operate unequally among the citizens of the United States. The constitution provides "that the citizens of each state shall be entitled to enjoy all the rights and immunities of citizens of the several states"—every citizen may therefore remove from one to another state, and there enjoy the rights and immunities of its citizens—the proposed provision excludes slaves, not citizens, whose rights it will not, and cannot impair.

Besides, there is nothing new or peculiar in a provision for the exclusion of slavery; it has been established in the states north-west of the river Ohio, and has existed from the beginning in the old states where slavery is forbidden. The citizens of states where slavery is allowed, may become inhabitants of Missouri, but cannot hold slaves there, nor in any other state where slavery is prohibited. As well might the laws prohibiting slavery in the old states become the subject of complaint, as the proposed exclusion of slavery in Missouri; but there is no foundation for such complaint in either case. It is further urged, that the admission of slaves into Missouri would be limited to the slaves already within the United States; that their health and comfort would be promoted by their dispersion, and that their numbers would be the same, whether they remain confined to the states where slavery exists, or are dispersed over the new states that are admitted into the union.

That none but domestic slaves would be introduced into Missouri, and the other new and frontier states, is most fully disproved by the thousands of fresh slaves which, in violation of our laws, are annually imported into Alabama, Louisiana and Mississippi.

We may renew our efforts, and enact new laws with heavier penalties, against the importation of slaves: the revenue cutters may more diligently watch our shores, and the naval force may be employed on the coast of Africa, and on the ocean to break up the slave trade—but these means will not put an end to it; so long as markets are open to the purchase of slaves, so long they will be supplied; and so long as we permit the existence of slavery in our new and frontier states, so long slave markets will exist. The plea of humanity is equally inadmissible; since no one, who has ever witnessed the experiment, will believe that the condition of slaves is made better by the breaking up and separation of their families, nor by their removal from the old states to the new ones; and the objection to the provision of the bill, excluding slavery from Missouri, is equally applicable to the like prohibition of the old states; these should be revoked in order that the slaves, now confined to certain states, may, for their health, and comfort, and multiplication be spread over the whole union.

That the condition of slaves within the United States has been improved, and the rigors of slavery mitigated by the establishment and progress of our free governments, is a fact that imparts consolation to all who have taken pains to enquire concerning it. The disproportionate increase of free persons of colour can be explained only by the supposition that the practice of emancipation is gaining ground; a practice which there is reason to believe would become more general, if a plan could be devised by which the comforts and morals of the emancipated slaves could be satisfactorily provided for. For it is not to be doubted that public opinion every where, and especially in the oldest state of the union, is less favorable than formerly, to the existence of slavery. Generous and enlightened men in the states where slavery exists, have discovered much solicitude on the subject, a desire has been manifested that emancipation might be encouraged by the establishment of a place or colony, without the United States, to which free persons of colour might be removed; and great efforts for that purpose are making, with corresponding anxiety for their success. Those persons, enlightened and humane as they are known to be, surely will be unwilling to promote the removal of slaves from the old states to the new ones, where their comforts will not be multiplied, and where their fetters may be riveted forever.

Slavery cannot exist in Missouri without the consent of congress; the question may, therefore, be considered, in certain lights, as a new one, it being the first instance in which an enquiry respecting slavery, in a case so free from the influence of the ancient laws and usages of the country, has come before the senate.

The territory of Missouri is beyond our ancient limits, and the enquiry whether slavery shall exist there, is open to many of the arguments that might be employed, had slavery never existed within the United States.—It is a question of no ordinary importance.—Freedom and slavery are, the parties which stand this day before the senate; and upon its decision the empire of the one or the other will be established in the new state which we are about to admit into the union.

If slavery be permitted in Missouri, with the climate and soil, and in the circumstances of this territory, what hope can be entertained that it will ever be prohibited in any of the new states that will be formed in the immense region west of the Mississippi. Will the co-extensive establishment of slavery and of new states throughout this region, lessen the danger of domestic insurrection, or of foreign aggression? Will this manner of executing the great trust of admitting new states into the union, contribute to assimilate our manners and usages, to increase our mutual affection and confidence, and to establish that equality of benefits and burthens which constitutes the true basis of our strength and union? Will the militia of the nation, which must furnish our soldiers and seamen, increase as slaves increase; will the actual disproportion in the military service of the nation be thereby diminished: a disproportion that will be, as it has been, readily borne, as between the original states, because it arises out of their compact of union, but which may become a badge of inferiority, if required for the protection of those who, being free to choose, persist in the establishment of maxims, the inevitable effect of which will deprive them of the power to contribute to the common defence, and even of the ability to protect themselves. There are limits within which our federal system must stop; no one has supposed that it could be indefinitely extended—we are now about to pass our original boundary; if this can be done without affecting the principles of our free government, it can be accomplished only by the most vigilant attention to plant, cherish and sustain the principles of liberty in the new states that may be formed beyond our ancient limits: with our utmost caution in this respect, it may still be justly apprehended that the general government must be made stronger as we become more extended.

But if, instead of freedom, slavery is to prevail, and spread as we extend our dominion, can any reflecting man fail to see the necessity of giving to the general government greater powers; to enable it to afford the protection that will be demanded of it; powers that will be difficult to control, and which may prove fatal to the public liberties.

Legislature of Georgia.

GOVERNOR'S MESSAGE.

The communications which were prepared by his excellency William Rabun, deceased, were laid before the legislature this day at 12 o'clock, by the hon. Matthew Talbot, governor *pro tem*, together with his own message, both of which we lay before the public.

EXECUTIVE DEPARTMENT, (GA.)

MILLEDGEVILLE, NOV. 3, 1819.

*Fellow citizens of the senate,
and of the house of representatives.*

The unexpected and distressing occurrence which rendered it necessary for me to assume the executive powers of the government, has been made known to you through the medium of the public Gazettes. The unwelcome intelligence having been announced to me at my residence, in a letter from one of the secretaries of the executive department, forwarded by express, I immediately repaired to the seat of government, and proceeded to the discharge of those duties which, agreeably to the constitution, devolved on me as the last acting president of the senate. As but few days had to elapse before the legislature would convene, it was not in my power to become sufficiently ac-

quainted with the transactions of the executive department for the past political year, to give such a detail of them as ought to be presented to you. I therefore deem it the most proper course, to cause to be laid before you, copies of a communication, with the documents intended to accompany it, which the late governor had hastily prepared, and which he no doubt intended to have revised and presented to you in a more perfect form.

A statement of warrants drawn on the treasury during the past year, and a list of executive appointments made during the recess of the legislature, and subject to its confirmation or rejection, will be also laid before you.

I cannot close this short address without remarking as to our late worthy chief magistrate, that in the discharge of the various appointments with which he had been honored by his country and the legislature, an undeviating rectitude of intention seemed to have been his predominant characteristic, and in the walks of private life, an uprightness and amiableness of character attracted the observation, and endeared him to every one in the circle of his acquaintance. The loss to the community, of such a personage, cannot but be deeply felt and long regretted.

MATTHEW TALBOT.

*Fellow citizens of the senate,
and house of representatives.*

The political year having expired, and the immediate representatives of the people having convened for the purpose of assuming to themselves their constitutional right to superintend and direct the various and important duties which may be deemed necessary to promote the peace, welfare, and happiness of our common country; I cheerfully endeavor to discharge the duty imposed on me by the constitution, by laying before you a general view of "the state of the republic, and recommend to your consideration such measures as may appear necessary and expedient."

But before I proceed, permit me to congratulate you on the high destiny which seems to await our country, now in the full enjoyment of the blessings of peace, and a flattering prospect of future prosperity. This should certainly excite in us a spirit of gratitude to the great Author of all good. For when we compare our situation with that of South America, and witness the revolutions, bloodshed and carnage, with which the Spanish colonies have been, and are still deluged, we may well exclaim, in the language of an inspired historian, "Surely our lot has fallen in pleasant places." And if we cast our eyes across the Atlantic, and take a view of the present situation of England, with all her boasted pomp and splendor, there we shall behold scenes of riot, tumult and wretchedness, that must excite feelings of sympathy in the most obdurate heart.

On the 6th of January last, I addressed a letter to the secretary of war, enclosing a copy of the resolution of the last legislature, which required me "to apply to the general government to have an armed force stationed on the southern frontier, west of the Okefenocau swamp, sufficient to give security to the surveyors and settlers in that section of country." After a lapse of nearly two months, I was informed by the secretary, "that from the quiet state of the Indians, and from the acquisition of the Floridas, the establishment of posts west of the Okefenocau, would not be necessary to the security of the frontier of Georgia."

Under these circumstances, I determined to allow the surveyors of county and district lines to have a small guard in that country, for their protec-

tion and security, rather than call out our militia into service during the planting season, which must eventually have been attended with great expense. It affords me pleasure to state, that notwithstanding the movements of the surveyors have been retarded from various causes, the Indians have not interrupted them in the slightest manner.

In obedience to a resolution passed by the Legislature on the 19th of December last, commissioners were appointed to ascertain the true head of the St. Mary's river. This circumstance was communicated to the war department, accompanied by a request that the line between this state and East Florida, might be immediately laid out and marked under the direction of the general government. During the month of February the commissioners proceeded to make an accurate survey of the head waters of the St. Mary's river, and on the first of March reported to this department, that the mound thrown up by Mr. Ellicott and the Spanish deputation was situated at the true head or source of that river according to the intent and meaning of the treaty of the 27th Oct. 1795, between the U. States and Spain.

The result of this mission was immediately transmitted to the war department, and the necessity that the line should be closed, was again urged, in order that our surveyors might proceed to lay out that country, agreeably to the act of the legislature of the 16th Dec. last.

After waiting some time, I received a letter from the secretary of war, stating that the president had instructed him to direct Mr. Lumkin to suspend the running of the Florida line until the subject should be laid before congress, and 'hoped that the state of Georgia would experience no inconvenience in consequence of delay.'

Finding that all my efforts to cause the line to be run by the general government, had proved ineffectual, I was reduced to the necessity of either suspending the operations of the surveyors in that quarter, until the government of the United States should find it convenient to cause that duty to be performed, or of assuming the responsibility myself, and of causing a temporary one to be made, which might afford a boundary for our surveyors, and enable them to proceed to the discharge of their duties—I determined on the latter course, and on or about the first of May last, despatched a competent surveyor, and instructed him to perform the service as early as practicable.

On the 17th February last, I addressed a letter to the secretary of state of the United States, and enclosed the resolution of the general assembly of the 19th December, on the subject of reclaiming the negroes and other property, which had long since been plundered and detained from the citizens of this state, by the Creek nation of Indians, in violation of the treaties of New York and Colerain. I requested that the resolution might be laid before the president of the United States, and that he would direct the course that should be pursued in relation to this subject. To this communication I have not received even a reply. From a conviction that the general government had hitherto manifested no disposition to interpose or lend its aid, in redressing this and other grievances of long standing, which has often been the subject of complaint with us, I determined to press the subject no further.

In the progress of our penitentiary establishment, nothing of particular importance has occurred during the year past. The steady operation of our laws, and a correct administration of justice, has thrown

a considerable number of our unfortunate fellow creatures within its walls.

In anticipating the beneficial results of this institution to society, it was fondly hoped that as the punishment due to crime had become more certain, their number and enormity would have been less frequent, than under the former system. But in this we have been disappointed. For whether attributable to an increase of vice, or the lenient mode of punishment, it is to be lamented, that crimes both in number and enormity, are committed on the persons and property of our citizens as frequently as at any former period of our history. In the management of the institution, the executive and board of inspectors have often been perplexed.—The want of experience and unanimity among the keepers has frequently endangered its prosperity; and has in some instances been calculated to throw a shade over its character. It would indeed be desirable for the legislature to examine this subject with a jealous and critical eye.

I would also recommend an alteration in the penal code, which would prohibit the courts from sending convicts to the penitentiary for a shorter term than two years. For it is notorious, that the expense which has hitherto accrued to the state in paying guards, &c. for conveying convicts to this place, has become a subject of serious importance, especially when they are brought from distant counties, for a short time of service. In every instance of this description, the state has been burthened with an expense far beyond the value of the convict's labor.

It is also proper for me to remark on this occasion, that the appropriation of \$25,000 made by the last legislature, has been found insufficient to meet the expenses incurred in completing the building, wall, and other incidental charges which were indispensable in maintaining the institution.

In the month of December last, I directed the agent of the state (col. Williamson) to repair to Darien, and order the balance of the African slaves which had been previously delivered to him by the collector of the port of Brunswick, and after giving the legal notice, expose the same to public sale agreeable to law. This duty was accordingly performed, and the sale advertised to commence on the first Tuesday in May last, in this place, the deputy marshal, of the district of Georgia, came forward and made an attempt to arrest them, by virtue of a warrant from the district court of this state, at the instance of Mingule De Castro, who was said to be a citizen of Portugal. Being well assured that the name of De Castro was only borrowed to cover the mysterious designs of some of our own citizens who have long been engaged in this abominable traffic, I therefore refused to give them up to the marshal, but finally agreed to suspend the sale, and hold them subject to the decree of the district court, where the case is still pending.

About the time that the marshal came forward to seize on those unfortunate Africans, the agent of the colonization society of the United States arrived and clothed with competent authority to ask, receive and transport them to their native country, free from charge or expense.

The proposition was marked with so much liberality and benevolence, that without much hesitation, I agreed to deliver them over to the order of that humane society, as soon as the court of the United States shall adjudge them to be subject to the controul of the constituted authorities of this state.

By the 46th section of the militia law passed at

the last session of the legislature, the governor is authorised to cause a sufficient number of copies of that law, together with the acts of congress more effectually to provide for the national defence by establishing an uniform militia throughout the United States, and the acts of congress for calling for the militia to execute the laws of the union, suppress insurrections, and repel invasions, and the articles of war, to be printed and distributed throughout the state, so that every general and field officer therein, and every brigade inspector, adjutant and captain, may be furnished with one copy each. But after strict examination, the law was found to contain several glaring imperfections, which induced me to postpone the execution of that duty until the legislature could have an opportunity to review and correct errors.

The various appropriations made by the last legislature for improving our navigable water courses, have been advanced on the application of the commissioners in terms of the law. The operation of the gentlemen who have contracted to improve the navigation of the Oconee, from Milledgeville to Barnett's schools, has been slow, but their exertions authorize a belief they will finally accomplish the object contemplated, in a way that will do credit to themselves, and generally promote the interest of the people in the upper counties.

Being on the eve of retiring from the arduous duties of a highly responsible and important trust, I cannot do justice to my feelings without tendering to the legislature my grateful acknowledgements for the distinguished marks of public confidence that have been conferred on me.

On a strict examination, I trust it will appear, to the satisfaction of my fellow-citizens, that in every situation in which I have been placed, my highest object, and only aim has been to promote the interest and prosperity of our beloved country. That I may have frequently erred it would be folly to deny, but I flatter myself that when my conduct is fairly examined before an impartial tribunal, the most ample justice will be done to all my feeble exertions.

Under this consoling persuasion, and having no higher wish to gratify, than a desire to maintain a respectable rank among plain honest citizens, I cheerfully resign the important trust committed to my care into the hands of the immediate representatives of the sovereign people.

CHRONICLE.

The Dismal swamp canal, so important to an internal trade and to Norfolk, we are pleased to learn is so nearly completed that it will be opened early in the ensuing spring, on its enlarged and improved plan.

A curious robbery.—On the 27th of September last, the house of John Lyons, jun. in the vicinity of New Orleans, was forcibly entered in the night, by fourteen-armed villains, with their faces blacked. After tying Mr. Lyons, his wife, and children, and threatening their lives if they made any noise or resistance, they ransacked the house, and carried off all the linen and wearing apparel they could lay their hands on. Not content with the plunder of goods, they seized and took with them, a whole family of blacks, belonging to Mr. Lyons, consisting in all of ten persons, viz:—Jack, his wife Flora, two sons and six daughters, the youngest only four years old. Five hundred dollars are offered for the recovery of the slaves.

Fires—60 or 70 houses and stores have been destroyed by fire at Schenectady, N. Y. Several valuable rope-walks have been destroyed at Boston, no doubt the work of an incendiary, for the detection of whom large rewards are offered. The light was so great as to be seen 52 miles off.

Mobile. It is said that between 3 and 400 persons have died of the yellow fever at Mobile—The population could not have been more than 800 or 1000.

Singular rain. Several showers have recently fallen in the state of New York—mixed with the rain was a considerable quantity of *ashes*, and it had a blackish color and sooty smell.

Admirable forgery! A couple of banking gentlemen lately convicted and sent to the state prison in New York for forgery, forged a recommendation of the judge who condemned them, &c. and so actually obtained their release by a pardon from the governor of the state!

New Orleans. The following is a literal translation of an advertisement published in a French New Orleans paper, of the twenty-fifth of Sept. 1819.

The undersigned, living in the street St. Anne, No. 52, has coffins of all qualities for sale, by day and by night, not important at what hour. He sells also, permits of interment, and has a hearse to make the voyage, at the price current of five dollars per corpse.

JOSE FERNANDIZ.

Married—In Georgia, by John McGehee, esq. Mr. DAVID HODGE, aged one hundred and two years and two months, to Miss ELIZABETH BAILEY, aged forty years; both of Columbia county, state of Georgia. Mr. Hodge was at Braddock's defeat, and served throughout the whole period of the revolutionary war.

The cranberry has been domesticated, and cultivated extensively by a gentleman of Barnstable, Massachusetts. It is believed that they yield a very profitable crop.

Thanksgiving. Thursday, the 9th of December is appointed by the governor of Pennsylvania as a season of humiliation, thanksgiving and prayer.

Sewing silk. At the cattle shew and display of manufactures in Cayuga county, N. Y. Samuel Chidsey, of Scipio, received a premium for the best pound of sewing silk, of various colors, pronounced to be equal to imported. "We believe (says the Cayuga Republican) this to be the most successful attempt to propagate the silk worm in our country; and it is evident, from the experience of our esteemed member, Samuel Chidsey, that the white mulberry and silk worm thrive well in our climate."

Georgia swamps. It is stated that in the swamps near Darien, 400 gallons of sugar-cane juice, worth 50 cents per gallon, have been produced to the acre.

National Industry.—The following gentlemen have been elected officers of the Philadelphia society for the promotion of domestic industry:

President—William Tilghman.

Vice-Presidents—Wm. Rawle, Thomas Leiper.

Treasurer—Samuel Richards.

Secretary—John Harrison.

Committee—Mathew Carey, Robert Patterson, Condé Raguet, David Lewis, Alexander Cook, Matthew Lawler, W. Duane, Jas. M'ase, Jos. Lowmes, Levi Garret, Mark Richards, Joseph Sidel, Samuel Jackson, Thomas Hulme, Josiah White, Thos. Gilpin, Henry Horn, Wm. Lehman, Henry Simpson, John Melish, Seth Craig, Charles Keen, Josiah Randall, Thomas Ridgeway, Robt. McMullin, Gavin Hamilton, Calender Irvine, James Cuthbush, Thos. Richards, Wm. Young.

New-Jersey.—Isaac H. Williamson has been re-elected governor. A proposition to call a convention was rejected at the late election—1,636 for, 12,635 against it.

Pennsylvania.—By the returns of the late general election, it appears that the senate of this state is composed of 23 republicans, 6 federalists, and 2 "old school" men; the house of representatives of 67 republicans, 24 federalists and 6 "old school" men. We give these things as we find them, professing our ignorance of *what* it is that makes these three parties.

Com. Rodgers, having visited Sackett's Harbor, Erie, &c. has returned to the seat of government. The gallant veteran was every where received with the greatest marks of respect.

Murder. It is rarely, indeed, that such a case as the following is presented to the American public:

Last spring, a certain James Adams arrived at Baltimore, from England, accompanied by three other Englishmen by the name of Cotterill, a father and two sons. Adams had a considerable sum of money. They proceeded westward in search of employment, and after being sometime in Alleghany county, Maryland, Adams resolved to return to England. The two younger Cotterills way-laid and killed him, by the counsel of their father; and the three then attempted to escape to England, but were detected at Baltimore, and sent back for trial. They were tried a few days since at Hagerstown in this state, and all three found guilty of murder in the first degree. The time for their execution is not yet fixed.

Col. Forsyth. The legislature of Tennessee have remembered this gallant officer, who fell fighting near Odletown, in Canada, on the 23rd of June, 1814. The sum of 250 dollars per annum, has been appropriated for the support of his infant son, and the governor of the state is required to procure a suitable sword to be presented to said son, in testimony of the respect of the state for the good conduct of his father.

Tennessee. In the Legislature, Oct 25—Mr. Anderson, from the committee on that subject, reported that the whole number of votes given at the last election for a convention, were 5919; against a convention 17,430; the number silent, as ascertained by the number of votes given for governor, of course against, 19,119—36,549.

Gen. Miller. This gallant officer, passing through Cincinnati, on his way to Arkansas, of which he is appointed governor, was invited by the citizens of that place and partook of a public dinner, in testimony of their respect for him. On the subsequent evening a splendid ball was given, that the ladies might shew their respect to the brave.

Money raising. During the revolutionary war, a British frigate and sloop of war were sunk near N. York. The frigate is thought to have had on board nearly a million of dollars. Repeated attempts by diving bells, have been made to get at the cash, but the depth of the water prevented it, though some of her guns and other things of little value have been brought up. A project is now on foot to raise the vessels entire. We wish success to it—in these specie-wanting times it is a great pity that so much of it should be out of circulation.

Clergymen. The legislature of Vermont has wisely repealed the law which exempted the property of clergymen from taxation. There should not be any privileged classes in the United States.

The legislature of this state has also passed an act by which no person shall be liable for imprisonment for a debt of less amount than 15 dollars.

North Carolina. Propositions have been submit-

ted to the legislature of this state for calling a convention to alter the constitution so that all the elections of officers of the state shall be exercised by the people, where the right of election can be conveniently exercised by them—then follows resolutions to provide for the choice of governors and sheriffs by the people; also that the judges may be removed for inability or other reasonable cause, on an address of both houses of the assembly, and that their compensation shall not be increased or diminished during their continuance in office; also, that the senate and house of commons be chosen in a manner more conformable to republican principles than at present—that no member of either shall be appointed to an office erected or the emoluments of which have been increased during the time for which he shall have been elected; also, that no person holding an office under the United States, shall be a member of the assembly during the time; and that impeachments shall be tried before the senate. These things appear to be entirely rightful, and we hope may prevail.

John Branch, esq. has been re-elected governor of North Carolina; and *John R. Donnell*, esq. elected a judge of the superior courts of law and equity.

The report of the public treasurer states the amount disbursed from the 1st November, 1818, to the 1st November, 1819, to be \$123,991 54 and the balance remaining in the treasury to be \$146,273 13. It also states that the taxes have this year been collected and accounted for by the sheriffs with punctuality and regularity never exceeded, it equalled, in any preceding year.

Revenue cutters. Benjamin Trevett of Massachusetts, and John Adams Webster, of Maryland, have been appointed captains of revenue cutters.

Appointments by the president.—*Roger Skinner*, of New York, to be judge of the United States in and for the northern district of New York, vice M. B. Talmadge, resigned.

Jacob Sutherland, of New York, to be Attorney of the United States in and for the northern district of New York, vice Roger Skinner, appointed judge.

GOOD NEWS. *New York, Nov. 30.* The waters of lake Champlain and the Hudson are now connected by the Northern canal, and lumber from Vermont and the upper counties of this state, are descending to this market.

Commerce of Savannah.—A statement of exports from Savannah, from the 1st October, 1818, to the 30th September, 1819, is given in the Savannah Republican of 17th ult.—"The export of upland cotton for last year (from 1st Oct. 1817, to 1st Oct. 1818,) was 116,781 bales—this year 95,427—making a difference of 21,354 bales. That of Sea Island, was 7,028 and that of this year 7,450—making an increase of 422 bales. The total amount of the general exports of last year was \$14,183,113 19—that of this year, \$9,325,560 12. This difference arises principally from the prices of cotton."

Of the sea-islands, in all, 7,450 bales, 6334 bales were exported to England; the rest to other European ports.

Of the uplands, in all 95,427, 50,000 went to England, 17,000 to other European ports, and the balance upwards of 27,000, was shipped coastwise—chiefly for home consumption.

The rice exported was 12,475 tierces; tobacco 625 hhds.

Extensive business!—The late rev. William Roas, of Reading, Pa. in the space of 29 years, united three thousand and eighteen couples, in marriage.

NILES' WEEKLY REGISTER.

NEW SERIES. No. 15—VOL. V.] BALTIMORE, DEC. 11, 1819. [No. 15—VOL. XVII. WHOLE No. 431

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

The message. The anxiously expected message of the president of the United States to congress, at the opening of the session, is now spread before the American people, and we shall hasten to give the documents accompanying it, though, perhaps, their substance may generally be inferred from the message itself.

The history given in the message of the state of our affairs with Spain, shewing the pretences on which the latter refused to ratify the treaty for the cession of the Floridas, is highly interesting; and it is satisfactory to be assured that other powers have not interfered to prevent an act of justice on the part of Spain.

SPAIN. In our last paper, page 210, we noticed an article from the Norfolk Herald, stating, that by a treaty concluded between Great Britain and Spain the Floridas were ceded to the former in 1814. The editor of that paper, further informed on the subject, now tells us, that that treaty, like our own, was unratified by one of the parties to it; but which is unknown. His letters also give us to expect a fourth nomination for a minister to the United States, who, passing through all the forms, may "arrive at Washington at about the time when the representatives from Florida are taking their seats in congress!" They also state, that Spain has made certain arrangements by which many English and French vessels, manned by the people of those nations, will be set upon our commerce in the event of a quarrel about the Floridas, &c.

☞ An unusual quantity of articles in manuscript are on hand, relating to various subjects of much public interest. We shall dispose of them as fast as we can, in compatibility with our first purpose of inserting the public documents. Among the articles alluded to, is an interesting statement of the present condition of the controversy between the state of Ohio and the bank of the United States, which we shall endeavor to publish in our next.

The National Intelligencer has commenced the publication of the documents accompanying the president's message, relating to our affairs with Spain. It appears that they consist of *twenty-one* items—letters and extracts. If we felt at liberty to use our own discretion on this subject, we would not publish one of them. But we shall commence their insertion next week, and conclude them expeditiously.

Cotton, Rice, Tobacco, Sugar, Wine.

We copy the following interesting statistical article from the National Intelligencer, as well because of its own merits as for the purpose of adding some notes which may equally interest the political economist.

The National Intelligencer informs us that in New York, 133 bushels of Indian corn have been gathered this year from *one acre*; and 714 bushels of potatoes from *one acre*! This has led to the following statistical facts:

Cotton.

In 1817, the export of cotton from the United States was (85,649,328 lbs.) more than *eighty five* VOL. XVII.—15.

million. One acre yields, at a moderate estimate, 250 lbs. of clean cotton. The whole export, therefore, is the product of only 535 square miles: this is less than the 108th part of Georgia, and less than the 520th part of the cotton regions of the United States.

Rice.

The *maximum* export of rice was 73,329 tierces, (in 1790,) or (43,997,400 lbs.) nearly *forty four million* pounds. This on an average crop, is the produce of only *sixty-five* square miles, which is less than the 440th part of South Carolina, and less than *two thirds* of the district of Columbia.

Tobacco.

The *maximum* export of tobacco was 112,428 hogsheads, in 1791. A hogshead is about one thousand weight; and, on average, *one acre* will yield *one* hogshead. The export, therefore, was the product of about 176 square miles, which is less than the 363d part of Virginia. Each of the 97 counties of that state contains, on an average, more than 659 square miles, viz: more than three times the quantity of land which furnished the above export.

Sugar.

Such is, generally, the fertility of the equinoxial regions of America, that all the sugar consumed in France, estimated at *twenty million* kilogrammes, (about fifty-four million pounds,) may be produced on an extent of seven square leagues, which is not equal to *one thirtieth* part of the smallest department of France.

Wine.

About 1,600,000 arpens, or 1,350,400 acres, are in France employed in the culture of the vine. The value of the annual product is about 100,800,000 dollars, at about *twenty cents* a gallon. In 1790, *Bordeaux* alone exported more than fifteen million gallons of wine. The 1,600,000 arpens are less than one 80th part of France, and less than one 20th part of Pennsylvania.

The value of the annual produce of these five interesting articles, may be thus estimated:

Cotton, at 15 cents,	\$12,847,399
Rice, \$20 a tierce,	1,466,580
Tobacco, \$60 a hogshead,	6,745,680
Wine, 20 cents a gallon,	100,800,000
Sugar consumed in France, at 10 cents a pound,	5,400,000
	\$127,259,559

For the product of these articles the following quantities of land are cultivated, viz:

	Square miles.
For cotton - - - - -	535
rice - - - - -	65
tobacco - - - - -	176
sugar - - - - -	63
wine - - - - -	2110
	2949

This is a little less than 3-4ths of the state of Connecticut.

The authority for cotton, rice, and tobacco, is Seybert's Statistical Annals, and the personal information of gentlemen of experience in the culture of those articles.

For sugar I have the authority of *Humboldt's Essai Politique*.

For wine I depend on *Chaptal*; his "Treatise, theoretical and practical, on the culture of the wine and the art of making wine, brandy, spirits of wine vinegars, simple and compound," is a truly classic work, in which he had the aid of Rozier, Parmentier, and Dussieux. It contains all that the chymist, or botanist, or vine cultivator, or enlightened statesman can reasonably ask or wish to know. It is in two octavo volumes of about 500 pages each, with 21 plates.

This admirable Treatise should be translated for the use of our fellow citizens who occupy our wine-yielding regions. For in a few years the United States will produce wine for their domestic consumption and exportation.

A revolution of our planet on its axis would present to the eye of an observer, at the distance of a few thousand miles, a few spots or specks (China or Holland) fully cultivated. The rest would be as a desert. Pauperism in England, now so extensive and so dangerous, is fulfilling the prophecies of *Goldsmith's Deserted Village*.

"Political economy, (says *Jean Baptiste Say*) is founded on statistical knowledge, or (what is the same thing) history;" and that "the American confederacy will have the glory of proving that the loftiest policy is in accordance with moderation and humanity."

The most active mind has not yet conceived an adequate idea of the vast resources of the United States.

Washington city.

NOTES AND REMARKS—BY THE EDITOR OF THE REGISTER.

The general average value of the products of the United States exported, may be estimated as amounting to 45,000,000 dollars, at fair prices; the cotton, tobacco and rice, included in which, may be valued at 21,000,000—the balance is made up of bread stuffs and meats, the product of the forest and of the sea, and 2,000,000 in manufactures.

The chief things that we have for export Bear about the following proportions to their respective quantities consumed in the United States—assuming 45 millions as the amount of value exported, and taking our products at their average quantities.

	Value or am't exported.	Value or am't consumed.
Bread stuffs, meats & drinks,	dolls. 13,500,000	270,000,000
Proviander for horses, &c. (say)	— 50,000	60,000,000
Manufactures, (in general)	— 2,000,000	220,000,000
Product of the fisheries	— 1,500,000	9,000,000
forest	— 6,000,000	60,000,000
Cotton	lbs. 85,000,000	40,000,000
Tobacco	hhd's. 75,000	25,000
Rice,	tierces 80,000	80,000

The value of the cotton, tobacco and rice consumed in the United States, being considered as included in the aggregate values of the manufactures used, or other stuffs consumed, will give a value to the consumption equal to 619, say 620 millions of dollars per annum; and, assuming our population at 9,500,000, the average for each individual is 65 dollars a-year. This amount includes ALL sorts of disbursements needful to the subsistence, convenience and comfort of the people, except the product of the value of labor directly applied to the erection of buildings or other permanent works. The amount, though it appears enormous, I am satisfied is less than the actual value consumed. It brings out the general result, that our exports stand to our consumption as 45 is to 620—or as one is to fourteen, at the present time. When the price of commodities was higher, the rate was as one to seventeen.

The ratio of each of the preceding items are about as follows:

	Exported, as one	is to twenty-one.	Consumed, twelve hundred.
Bread stuffs, meats and drinks,	one	—	one hundred & ten.
Proviander	one	—	six
Manufactured articles	one	—	ten
Product of the fisheries	one	—	one (nearly)
forest	two	—	one
Cotton	three	—	one
Tobacco	one	—	one
Rice	one	—	one

It would be excessively tedious to attempt to detail the multitude of items that affect these general conclusions. Accuracy is not pretended in either of them. Probabilities only are aimed at.

From these facts assumed as being pretty near the truth, we may estimate the importance of the home trade, or internal commerce and consumption of the people, and arrive at a multitude of highly interesting considerations. Take the following for an example.—

The sudden introduction of less than 500,000 persons, would leave us no surplus of present products of food for men. But it is a demand for this surplus, no matter how created, that assesses the value of the whole product. Such products, let the fact be recollected, were at as high prices during the late war, when there was very little export of them, as they are now, the difference in the value of our circulating medium being also considered. This was caused by a partial want of agricultural laborers; but more by the waste of provisions that belongs to a belligerent state.

Foreign commerce, nevertheless, has a powerful bearing on the consideration of value in a state of peace, to the growers of grain, meats, &c. The amount beyond their own immediate consumption and that of their families, may be about two fifths of the whole, besides the foreign export, or nearly 110 millions,—the price of which is fixed by the small amount of 13,500,000 dollars worth sent abroad! And, this little surplus remaining unconsumed, or without being wasted, at home, would depreciate the general value of the whole surplus at least 50 per cent. Hence, it would seem of greater interest to the farmers even to destroy a portion of their products, than to cast them into a glutted market, according to the principles acted upon by the Dutch in regard to spices. A policy not to be recommended on the score of morality, but as according with the spirit of trade. It cannot, therefore, be advantageous to the agriculturalist to depend upon a foreign market to assess the value of his articles, for it is, and ever must be, uncertain and unsteady. It is his interest to have a market at home, for this may be depended upon, and the product will be regulated by the demand, so as to leave a fair profit.

A gentleman of observation, on a certain occasion when I was speaking on this subject, related the following case in point—

At an interval of about 10 years, he had stopped for a short time at a certain village in Connecticut—when first there, it contained two first rate taverns, and one other respectable establishment of the same kind. Two lines of stages made it their halting place every night, and all seemed flourishing and lively. When there again, the three taverns were shut up, or at least not occupied as such, and he had to apply at a private house to be accommodated during his stay, and every thing appeared dull and desolate. He asked the reason—it was the establishment of steam boats which had destroyed the lines of stages, and driven off the persons and horses that they had given employment to, and of course, the market they created.

which hitherto took off all the surplus products of the neighborhood, had ceased to be. A thousand instances of this sort might be noted, to prove that a *ready market* is the prosperity of a neighborhood, county, state or nation.

On the different items, especially those of *cotton* and *sugar*, as mentioned by the writer in the *National Intelligencer*, we intend to speak particularly hereafter, in the essays we have proposed to write under the head of "Political Economics," the introduction to which appeared in the *Register* of the 13th ult. page 162.

The "Paper System."

With the blessing of God, through *feeling*, the people of the United States have been brought to an understanding of the length and breadth, height and depth, of the supremely-to-be-hated rag, or paper system—which, of late years, first made them "mad" and then ruthlessly 'destroyed' tens of thousands of them—that a few *calculating* persons, half a dozen men in fifty thousand of the population, might become *great*; but who, *I am happy* add, have been generally mired in their own corruption and suffocated by their own filth—serving as things for "scorn to point her slow unmoving finger at."

A glorious purgation is going on—"deprosy to the arm!" that would arrest it, by new modifications of fraud! It is hard to bear and grievous, but it is wholesome; and the good effects of it will extend to posterity. The "good old way" of money-making, by honest labor, will be esteemed as the best; and it will be the *fashion*, I trust, to doubt the gentility of every man who does not perform something useful for his country. The inevitable nature of *incorporations* begins to be estimated; especially those vesting money-manufacturing powers in irresponsible men; and such is the public feeling on the subject, brought about by the public sufferings, that if a petition for a *new* bank were offered to some of our state legislatures, it would be kicked out of the house as an insult to common decency and common sense. The effect of this feeling will be to bring us back to the state we were in about ten years ago, when a bank was considered as the *opposite* of bankrupt; though the terms now, of banking and bankruptcy, are so nearly synonymous!

Our private letters from New-York, Pennsylvania, Kentucky, and Ohio especially, as well as some from Delaware, Maryland and Tennessee, detail cases of hardship and misery such as never before were witnessed in any part of the United States, except just at the period when they were passing from a revolutionary government to the present system of things—when patriotism ceased to act in favor of confidence, and dark suspicion and suspense clouded almost every man's brow. We hear that those who lately were independent farmers, are involved in debts—that they who hitherto purchased lands with cash, the product of their industry, are driven from their homes by borrowing money that they did not want, or by putting their names to pieces of paper, to oblige a neighbor for form's sake! They who had money to lend, eight or ten years ago, and who ought to have had an excess of it now, are those on whom the 'system' most severely presses—those that were as pillars of the independence of their country, are the chief victims of unprincipled speculation and unblushing fraud. The notaries and sheriffs are as busy as "Old Nick in a gale of wind," riving and tearing honest men to pieces, and sacrificing property for less than the half of its value—less, perhaps, than a fourth of its cost.

The widow and the orphan too—the aged and the infirm, who vested their money in banking institutions to derive a support from it, are among those who suffer most. They confided in villains—their funds have been squandered; and those who were comfortable are reduced to penury.

But let us take courage—the shock, we hope, is nearly over; the further progress of rognery will be impeded by the *widow's* curse! Our country has an astonishing elasticity, and we want nothing but *employment* by which to earn money enough to relieve the general embarrassment. Two or three years of profitable industry, and prudent economy, would nearly bring us back to the state we were in before the banking mania began to rage—but all is lost, our sufferings will result in no good whatsoever, if we give way to the creation of a new "rag system." There is no safety to the people but in considering specie as the basis of their transactions, and we shall have enough of it, for all useful purposes, under a wise administration of our public concerns and individual circumstances.

We shall not now have room to notice the proceedings of our banking institutions so much at large, as heretofore. We have done our duty in respect to them; and the people will do theirs. They will persevere in the reformation so happily begun, and the result will be *safety*. The well-managed banks will be supported—such as are auxiliary to the public good will be preserved, and the rest disappear—and all of us learn to esteem, as we ought, the importance of the truth, that money borrowed must be returned. We have, however, something to say respecting the bank of the U. States, which, at the proper time, we shall not fail to do with our usual freedom.

Ohio vs. Bank of the U. States.

Chillicothe, Nov. 12.—On Tuesday last, Messrs. John L. Harper and Thomas Orr, who had been for some time past confined in the goal at this place, at the suit of the president and directors and company of the bank of the U. States, were removed to Lancaster. Previously to their removal, application had been made on behalf of the prisoners, to the hon. John Thompson, president of the court of common pleas for this county, for the benefit of the writ of *habeas corpus*; when, after argument, the judge decided that the writ could not be allowed in this case. The following is the opinion given by judge Thompson, preceded by a brief sketch of the proceedings which have taken place on this important occasion.

Thursday evening, October 21st, A. D. 1819.

In vacation of the court of common pleas for Ross county, application was made for the allowance of the writ of *habeas corpus*, directed to the marshal of the United States for the district of Ohio, to bring up the bodies of John L. Harper and Thomas Orr. The application was founded on the affidavit of said Harper and Orr, in which is stated that they, citizens of Ohio, prisoners in the goal of Chillicothe, Ross county, on Monday the eighteenth day of October, 1819, were arrested in the town of Chillicothe, by deputy marshal for the district of Ohio, by authority of a writ of *capias ad respondendum*, issuing out of the clerk's office of the circuit court of the United States, and district of Ohio, at the suit of the president, directors and company of the bank of the United States, in a plea of trespass *vi et armis*: damage \$240,850, and bail in that amount ordered by district judge. That action is brought as by endorsement to answer that amount of damage

for forcibly and violently entering the office of discount and deposit of the bank of the United States, in the town of Chillicothe, Ross county, and state of Ohio, and unlawfully taking away from said bank and vault, the sum of \$120,425, in specie and bank notes (*vi et armis*.) That refusing to give bail in that amount, they were taken into custody, and lodged in said gaol. That they acted under the authority of a warrant issued by the auditor of state, bearing date the 15th September, 1819, commanding John L. Harper to levy the tax imposed by the state of Ohio, by a law passed the 8th day of February, A. D. 1819, on the offices of discount and deposit of the United States' bank within this state, which should continue doing business after the first day of September, 1819, by entering the banking-house and levying on their specie and notes, a demand and refusal being had, in removing the amount to Columbus, and depositing the same in treasury of Ohio. That the amount taken was to secure the tax of \$100,000, and surplus returned to said bank. That they are able, and willing, and ready to prove, that one or more of the stockholders of the said bank, are residents of this state, and citizens thereof. That they are advised, that said writ and proceedings are null and void, as issuing from a court having no jurisdiction of the case, and that it is in other respects defective. That they consequently (as the cause of action be not meritorious on the part of the plaintiffs) have been improperly and illegally restrained of their liberty, and copy of writ referred to, in the usual form, and special endorsement of cause of action, with the order of the judge in form.

After argument, Mr. King, Mr. Atkinson, on the part of the applicants; Mr. Bond, Mr. Grier, and Mr. Scott, on the part of the bank, the case was adjourned till Monday the 8th of November, for opinion.

Sciota Gaz.

OPINION.

The case as exhibited in affidavit, and copy of writ, &c. &c. and presented in argument, leads us first to consider the jurisdiction of our court. By third article of the constitution of our state, the jurisdiction in all matters of law and equity, is vested in a supreme court, in courts of common pleas for each county, &c. &c. in such cases as shall be directed by law. By the judiciary act of 1816, now in force, a general power is conferred on common pleas, with few exceptions. By the act of 1811, securing the benefit of the writ of habeas corpus, authority is given a single judge of those courts to allow writs of habeas corpus, on all cases of illegal imprisonment, and restraint of liberty; and hear and determine the matter, and discharge, let to bail, or commit at discretion. On applications for a discharge, when copy of commitment is produced, a discretion is exercised, either to allow or reject the application, especially after argument, by the court or single judge, and for prudential reasons, this method was adopted in this case. If the constitution and laws of the state, were prerogative, and allegiance and fidelity owed exclusively to them, there could be little dispute and difficulty in coming to a conclusion on this point. But we are ever to keep in view, that our state is only a component part of a grand confederacy, constituted by the people of these United States, in order to form a more perfect union than before; the better to provide for justice, tranquility, and common defence. For these ends, much and ample power and means are given and delegated; and they are to be used and administered, limiting and controlling states, and all in authority. The sixth article of the constitu-

tion of confederacy, requires all officers and functionaries to take an oath or affirmation of allegiance and fidelity; and same article informs us, that the constitution and all laws of the United States, which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supremelaw of the land; and *the judges in every state* shall be bound thereby, any thing in the constitution or laws of any state to the contrary notwithstanding.

This leads us to the second point, the limitation of jurisdiction, which involves questions of nicety, about which there have been much controversy among judges and jurists in this country; and they remain undefined and unsettled by judicial authority, as appears by 9 Johns. Rep. 239. 2 Hall's Law Journal. But in this case, we deem it sufficient to refer to the laws. In the judiciary act of the United States is found, in the 14th section of Graydon's Digest, the jurisdiction respecting this writ, in these words:—"All the courts of the United States shall have power to issue writs of *scire facias*, *habeas corpus*, and all other writs not specially provided for by statute, which may be necessary for the exercise of their respective jurisdictions, and agreeably to the principles and usages of law. And either of the justices of the supreme court, as well as judges of the district courts, shall have power to grant writs of habeas corpus for the purposes of an enquiry into the cause of commitment. *Provided*, That writs of habeas corpus shall in *no case* extend to prisoners in gaol, unless when they are in custody under or by color of authority of the United States, or are committed for trial before some court of the same, or are necessary to be brought into court to testify." Surely, this law vests no co-ordinate jurisdiction in the state courts; and they have no good right to assume it.

Thirdly, the color of authority or jurisdiction of the circuit court of the United States over the subject of imprisonment. By the third article of the constitution of the United States, the judicial power shall extend to *all cases*, in law and equity, arising under the constitution, and the laws of the United States, &c. &c. to controversies between citizens of different states, &c. &c. The charter of the bank, or law of incorporation, expressly vests jurisdiction in the circuit courts of the United States, and gives the state courts co-ordinate jurisdiction. Under the charter of the old bank of 1791, it was determined by supreme court of the United States, as reported in 4 and 5 Cranch, that there were no express grant of jurisdiction to the courts of the United States over the *cases*; and without an avowment, characterizing the whole of the stockholders, citizens of different states from the defendant jurisdiction, in personam, could not be maintained. Congress having declared the bank *necessary and proper*, to facilitate and carry into effect the operations of the fiscal department of the government, and constituted the stock incident to, and the president, directors and company, agents of that department, the government is as much bound in principle to give facility and efficacy to its operations by enforcing the payment of debts, and affording protection from violence and wrong, as to a collector of the revenue. Each are agents of the government; the former *holding and directing indirect means*; and the latter *gathering direct means*; the one declared *necessary* by the law; and the other made *essential* to the welfare of the government. No one can dispute the right of a collector to sue for a *wrong*, in the circuit court of the United States; nor can they, by this law, rightfully deny it to the

other, on the same principle. And the supreme court of the United States, having adjudged the law of incorporation constitutional, and thereby instituted it the supreme law of the land, settles the question of jurisdiction of the courts; and establishes and settles, that the stock of this bank, collectively and institutionally, cannot be taxed, or its operations obstructed, by any law of the state. Yet our state having legislated a tax on that bank, before the decision of the supreme tribunal, and ordered it to be collected, by warrant of auditor, we did think submission to its requirements the duty of every citizen, as the remedy would have been instantly afforded by the courts, by an injunction of the money, to await a legal and constitutional result, in the hands of a trustee, or the bank. And while we have to lament this present difficulty, produced by misguided zeal, we must express our entire confidence in the intentions of our state counsellors, that when the true boundary of sovereignty, (the right way) be discovered, they will observe and pursue it with promptness. Though men disagree about the constitutionality of this bank, and the rights of the states, all agree that the state banking had destroyed confidence, embarrassed communication, locked up nearly all the small remains of the precious metals, and unlocked, when convenient and advancee of their own views.—From this circumstance, a kind of self-defence—necessity, produced the bank of the United States, armed with powerful means, dangerous influence, and sure destruction to liberty, if not well watched; and we think there has been no lack of that watchfulness on the part of the good people of these U. States, of the which every correct man must rejoice to see, so long as actions are kept within the pale of the laws and constitutions. We, in common with our fellow citizens, exult that this bank is not above the sovereign people of the states. In their majesty, they have the right, and it is their duty, to amend the constitution, and prohibit all noxious things; and until the constitution and laws, bearing on this subject, be amended, or altered, or modified, we are bound to say, that such application must be rejected, and writ in this case disallowed.

American Manufactures.

Extract from the minutes of a convention of the friends of national industry, assembled in the city of New-York, to take into consideration the prostrate condition of our manufactures, and to petition to congress for their relief and protection, which commenced on the 29th November, and terminated on the first of December, inst. Col. WILLIAM FEW, of New-York, President.

MATHEW CAREY, of Philadelphia, Secretary.

The following gentlemen appeared as delegates, and after presenting their credentials, took their seats in the convention:

From *Massachusetts*, Samuel Davis, James Shephard.

From *Rhode-Island*, Samuel Greene.

From *Connecticut*, John Babcock, Charles Bostwick, Theodore Dwight, John R. Watkinson, James M. L. Scofield.

From *New-York*, William Few, H. E. Haight, Isaac Pierson, Joseph Smith, Peter H. Schenck, Matthew L. Davis, Thomas Morris.

From *Greenwich*, (*Village*), Robert Kelly, James Lamb.

From *Fishkill*, Abraham H. Schenck.

From *Poughkeepsie*, George Boothe, James W. Stephens.

From *New-Jersey*, Peter Cole, Daniel Helmsman, Nicholas Smith, Samuel Colt, John Manning.

From *Pennsylvania*, Mathew Carey, Wm. Young, Thomas Hulme, Samuel Richards, George McCallmont, John Harrison, Henry Horne.

From *Delaware*, James Siddal, E. I. Dupont.

From *Maryland*, John Hillen, John Sykes.

From *Ohio*, Arthur Tappan.

A number of other gentlemen also attended from various parts of the United States, who, although not regularly appointed as delegates, afforded the convention the benefit of their information, on the important business, for the transaction of which they were convened.

Sundry resolutions were offered for the consideration of the convention, containing the principles proper to be introduced into a memorial to congress; which resolutions having been discussed and adopted, were referred to a committee appointed to draft said memorial. At a subsequent meeting, the committee reported the draft, which, after undergoing some amendments, was unanimously adopted.

It was then ordered, that said memorial be signed by the president, and countersigned by the secretary; and that it be transmitted to congress, and printed.

On motion, resolved, That it be strongly recommended to the manufacturers in each of the different states, to appoint a committee of publication, for the purpose of disseminating such essays as may be calculated to dispel the prejudices that exist on the subject of manufactures.

On motion, resolved, That it be recommended, in the most earnest manner, to the manufacturers and their fellow citizens in the different states to form societies for the encouragement of domestic industry, and to call a convention in each state, on the third Monday in December, (instant,) for the purpose of ascertaining, the rise, progress, and decay of manufactures throughout the union; and that they appoint, at such state conventions, delegates to meet a general convention, to be held in the city of New York, on the third Monday in January next, therein report such information as may be collected in pursuance of this resolution.

Resolved unanimously, that this convention entertain a high respect for the perseverance, zeal and talents, which have been displayed by the authors of the Philadelphia addresses, on the subject of national industry; and that, in conformity with these feelings, the convention present them their most sincere and hearty thanks for their great and patriotic efforts.

Ordered, That all written communications which it be necessary to make previous to the next general convention be addressed to the president of the Pennsylvania society, for the encouragement of American manufactures, in Philadelphia.

A committee was then appointed to forward the memorial to congress; to have the same printed; and generally to perform such services as become necessary to carry the decisions of the convention into full operation.

No further business appearing, the convention adjourned.

WILLIAM FEW, President.

MATHEW CAREY, Secretary.

Foreign Articles.

GREAT BRITAIN AND IRELAND.

A London paper of the 11th of Oct. says, that twenty-six public meetings have already been held to consider of the outrage at Manchester on the 16th of August. Of these twenty-five have con-

demned the conduct of the magistrates and yeomanry—one only approved.

An order has been issued from the war office for assembling the out-pensioners of Chelsea hospital, for the purpose of forming them into a veteran battalion.

New-Castle upon the Tyne.—We noticed in our last, that the people had turned out for an increase of wages, and would neither work themselves nor suffer others to do it. The mayor, with about twenty constables attended, and personally attempted to cast a quantity of coals into a vessel. The mob became furious, and pelted his party with stones, so that they were compelled to desist. A shot was fired by a marine, and a person killed; the mob then resolved to take satisfaction by destroying the mayor, and besieged a house in which he had taken refuge. They nearly demolished it, but for a moment forgot to guard the back door, and the mayor escaped from their fury. Troops were marching to quell the disturbance. The differences are since said to be terminated.

A great meeting was held at Sheffield on the 25th of October, on account of the occurrences at Manchester, which were severely reprov'd—but the people behaved very orderly. Lord Milton attended this meeting.

Manufacturers of arms have been arrested in several places: the *loyal* have commenced meetings to address the throne, with public declarations of their principles. The Courier declares, that the single purpose for which parliament has been called together before Christmas, is *to put down the traitors*.

The military force of England to keep down the "seditions," is rapidly augmenting, by volunteer associations.

A meeting was held at Norwich respecting the transactions at Manchester. Many lords, knights, esquires and reverend gentlemen were present. The earl of Albemarle addressed the meeting.

Some disturbances are apprehended in Ireland.

The constables and inferior minions of power in England, have become so insolent as greatly to provoke a spirit of resistance—if the people do not now openly resist, the little vestiges of freedom that remained to them are forever lost. At some of the meetings to be held, they have avowed their intention of repelling violence by force.

A large meeting of reformers has been held at Ruthbergen, Scotland. The president wore the cap of liberty, and the emblem of revolution. A meeting has also been held at Manchline. They came to the meeting to the tune of "The Campbells are coming," played on the bag pipes.

A London paper mentions that the motives which had induced the British government to restore 10,000 of the veteran battalions and Chelsea out-pensioners to active duty, is that great numbers of those persons have been noticed in the ranks of the reformers.

Earl Grosvenor has addressed a letter to the committee for raising an additional armed force in the county of Chester, refusing to contribute to the object.

The disbanding of the 25th dragoons, which lately arrived at Chatham from India, has been countermanded, and orders have been issued to suspend for the present any further discharges from the regular army.

Mr. Hunt. We have a long address from this now distinguished person to the "brave reformers." He speaks in exceedingly severe terms of the Manchester massacre.—advises patience—tells them that spies and informers are mixing among them,

and cautions them against the craft of these wretches—deprecates simultaneous meetings as proposed to be held early in November—is opposed to another meeting at Manchester, in the present state of the public feeling there, and concludes as follows;

"I know and can naturally feel, that all those who were present at Manchester on the 16th, must be anxious to have arms to protect themselves from a repetition of such wanton cruelties, and as I know of no law yet, that prohibits an Englishman from having arms for his own protection, I will not take upon myself to recommend you not to have them, but of this I am quite sure, that no man should procure arms surreptitiously, or keep them secretly—all should be done as openly (if at all), and the purpose as openly avowed as the armed associates that are training in different parts of the kingdom.

"But above all my friends, enter not the doors of a public house—refrain from all spirituous and intoxicating liquors. Remember that nine-tenths of the publicans are your enemies, they are tools in the hands of the magistrates, and must do any thing they wish them to do, however disgraceful, in order to secure their licences.

"Abstain from beer, spirits and tea, and your health, your morals, your pockets, and your characters as men, will be improved. Your enemies encourage you to gamble and get drunk, for a twofold purpose—the one to pick your pocket, the other to render you slaves."

Hunt is said to have lost much of the confidence of the reformers. The proposed (second) meeting at Manchester was abandoned.

Stocks—London, Oct. 30. 3 per cent, consols 66 3-8. *American*, 3 per cents 62½; new sixes 99½ to 101; U. S. bank shares 21 to 22½.

London, Oct. 27. Yesterday the following impudent letter was sent by *Thistlewood* to lord *St. John*, the bearer of it was the renowned *Waddington*.

My lord—It is generally believed that in consequence of your late (unfortunate to you I think it will prove,) directions to the magistrates of Manchester, which caused the inhuman butchery and horrible effusion of blood on the 16th of August; that your lordship holds the office of chief secretary of the home department upon a very precarious tenure. I therefore must *urgently* request your lordship, *while you have the power*, to do an act of justice to an injured individual, will not let the opportunity pass without availing yourself of it. Your lordship well knows that when I was illegally arrested on board the *Alien brig*, my loss on that occasion was upwards of 180*l*. I therefore entreat you will send me, out of the candle ends and cheese parings of office, (which it is said you have partaken most plentifully,) the sum of 180*l*. and three years interest—compound interest, my lord, of course. This is a necessary act of retribution, and will make some amends for your lordship's past misdeeds.

I wrote to your lordship about a fortnight ago, the letter miscarried I have no doubt, for your lordship is too polite to omit answering a correspondent.

I am &c.

ARTHUR THISTLEWOOD.

P. S. Perhaps your lordship would, to save further trouble, both to yourself and me, send the money by the bearer, my friend Samuel Waddington.

A London paper says—New modes of impropriety are every day brought to light; a female has been recently levying contributions on the benevolent in Oxfordshire and adjacent counties, by pretending to *hang herself*; she always took care to

perform this operation in a place where she was sure of being soon cut down, and when *restored to animation*, she excited compassion by a doleful catalogue of misfortunes, which had led her to the desperate attempt.

At the recent sale of the late Mr. B. Tompkins's prime Herefordshire cattle, one cow and her calf (a two years old bull) sold for the sum of nine hundred and fifty pounds: four bulls for one thousand and seventy one pounds; and two bull calves, for three hundred and sixty-two pounds five shillings!

The king of England is now in the 60th year of his *reign*—a reign longer in its duration, by nearly four years, than that of any sovereign of England, that of Henry the 3d being only 56 years.

Commercial. The following notice has been issued at Cowes—"By an act of parliament, 59th of his majesty, Geo. 3, ch. 54, American or Portuguese ships or vessels, entering or touching at any of the ports of the united kingdoms, are to pay no higher light charges, or other rates and duties, than are payable on British ships.

JNO. WARD, Collector.

"Custom House, 1st of August, 1819.

London Oct. 17. Accounts of an alarming nature have arrived from Blackburne. Two persons in that neighborhood, the one a blacksmith, the other described as an instrument maker, have been taken up on a charge of manufacturing pikes and other weapons for treasonable purposes. A few pike-heads were found on the premises of the former, and some pikes and pistols on those of the latter. Both prisoners have undergone an examination before a magistrate and have been committed.

Oct. 29. Ten additional field pieces, with a proportionate number of artillerymen, have been ordered by government into the districts under the command of major general sir John Byng and we have reason to think that they have already arrived there.

The recal of a portion of our retired military force takes place, as was stated. We shall briefly say now, as we intimated before, that we should regret the necessity of the measure if it existed; but as we cannot believe in the existence of the necessity, we extremely regret the adoption of the measure.

SPAIN.

Conspiracies, arrests and denunciations succeed each other rapidly. The "*holy*" office is busy, and much unholy work is going on. The paper money is no longer current, and misery walks abroad. The yellow-fever has spread itself widely—10,000 persons were said to be sick with it at one time, and death closes the horrors of this wretched people: nine-tenths of those disasters have been brought upon them by having suffered themselves to be made tools of by England, to fight her battles against France, and by placing a fool upon their throne.

A letter from Madrid, published in a late London paper, says—"One of our diplomatists endeavored to find out the conduct the United States would pursue on learning the non-ratification of the Florida treaty. Will you make war on us, said he to an American minister? My nation has too much pity for you. If we declare war against you, a simple demonstration on our part would realize the independence of your colonies. You would then have no more money to expend, nor troops to consume in this quarrel. We would rather wish to punish you by letting you follow up the system you have adopted. With regard to the indemnities you owe us, we shall always find out a good mortgage.

Ferdinand VII. is a powerful monarch in his own country, but he cannot change the geographical position of the Floridas, of the Havanna, or of Mexico.

Another from the same says—Threatened by a war with the United States, by the plague at Cadiz, and by the invasion of the Guerrillas in the southern provinces, where the mails are intercepted, our state of uneasiness is by no means imaginary. Whilst travelling, a short time ago, in the province of Estremadura, I was surprised in a tavern by the arrival of Melchior's band. He is a man of about 45 years old, and of firm decision. They conversed on the subject of political affairs. I expressed my sorrow at the bad government of Spain. He interrupted me by the narrative of the following allegory:

"Know you, that when God created the world, and had divided it among several nations, he assembled their representatives in order to know whether they were satisfied with their respective lots; each one of the nations made its remonstrances—each one presented its requests. The French obtained the vaudeville—the English the spleen—the Portuguese, jealousy. When it came to Spain's Cortes, they asked for the best wines, fine crops, wool, cocoa, saffron, gold, silver. And do you ask for nothing more? said the Creator. We further ask a good government. As to that, you will not obtain it, as something must remain for other nations."

After we had heartily enjoyed that popular tale, Melchior resumed his gravity, and expressed a great desire to contribute, as far as in his power, to giving a better government to his country—a resolution he will doubtless maintain to the last.

Prisoners at Ceuta. The following is the translation of a royal order addressed to the governor of Ceuta, respecting the treatment of state prisoners under his charge:

Ministry of War.—The king, my master, being informed of the motives and pleas on which are founded the inquiries addressed to the reverend bishop of your fortress by the council of the tribunal of the faith, his majesty has resolved, after a consultation with the same, that the state prisoners confined as American insurgents, or *Liberales*, shall be treated with the greatest rigor, without their being allowed the smallest intercourse or communication with each other; and it is further ordered, that their civil and religious conduct be scrutinized in the most scrupulous manner, and penalties and punishments inflicted upon them according to their deserts, as on the smallest contravention of these wise measures, depends the security of the state.—This I communicate to you for your due compliance therewith, under your own responsibility, the same being by special command of the king, our lord.

God preserve you many years, &c.

(Signed) El Marquis de ALOS.

Royal palace, Sept. 2, 1819.

To the governor and commandant general of Ceuta.

ITALY.

An Englishman, who ascended Vesuvius, and approached too near the crater, has had his arm broken by a stone thrown up by the mountain, and has suffered amputation.

The excavations of Pompeii are continued with success. Several edifices have been lately discovered in the street leading to the temple of Isis, to that of Hercules and to the Theatre. In a house there was found some surgical instruments of excellent workmanship, and some paintings representing fruit and animals.

GERMANY.

The accounts from Germany all agree in stating, that the resolutions of the diet at Frankfort meet with the strongest resistance in public opinion, and that the best informed persons consider their strict execution as dangerous or impracticable.

Letters from Berlin on the 9th Oct. state, that the Prussian government has ordered the arrest of professor Guerres, a celebrated publicist, author of the work, entitled, "Germany and revolution." Orders were issued to convey him to a fortress, but M. Guerres has taken refuge at Frankfort, the senate of which city it is hoped will in this case, display a little more energy than with regard to colonel Massenbach.

A species of discontent, bordering on treason, appears to prevail in Germany. The elector of Hesse has published an address communicating to his subjects the appointment of a central committee at Mentz, for the investigation of attempts against public tranquility. The committee are empowered to demand the arrest of suspected persons, and have them conveyed to Mentz. This act of the German diet is pronounced by an English editor, persecution in the extreme, and the committee, a dreadful innovation. The assembly of ministers of the German empire was to have opened on the 1st of November, at Vienna.

The press in Germany has been put under most objectionable restraints.

Cassel, Oct. 8. Our gazette publishes to-day an ordinance, that several classes of merchants have presented to the elector that the Prussian dominions were closed against their goods by duties, equivalent to prohibitions; that the elector, having caused a strict enquiry to be made, is convinced not only that the Prussian tariff is very prejudicial to the trade and manufactures of his subjects, but that several provinces are in danger of losing the means of supplying themselves with the necessities of life. His royal highness has therefore resolved to protect his faithful subjects, by using reprisals, and has therefore ordered all Prussian manufactured goods to be charged with duties equal to those which the Prussian tariff imposes on the same species of goods imported from other countries.

SWEDEN.

A Stockholm article of Oct. 8, mentions that a great national festival has been celebrated in the Soderlilge. The canal was opened in the presence of the king, crown prince, &c. The canal has been finished in 12 years. Among the vessels which first sailed through was a steam boat with many passengers from Stockholm.

RUSSIA.

By an arrival from China, it is said, that a Russian frigate had arrived at Canton, and reported that the territory on the coast of California, which is about 800 miles in length, has been ceded by Spain to Russia, in payment for the assistance afforded by the emperor Alexander to his Catholic majesty, in fitting out the expedition for Buenos Ayres and Lima.

POLAND.

Thirty-five thousand troops were reviewed at Warsaw on the 5th of Oct. by the king of Wurtemberg.

AFRICA.

We have the trial of a negro man at Sierra Leone for killing another black, because he was "fat," that he might eat him, which he and others partially accomplished before they were discovered! It is a horrid account. The parties engaged in this terrible feast were called Mania or Maniana negroes; and

it appears to be a common practice with them to eat human flesh. They had broken the thigh-bone, to extract the marrow, after cooking the limb, &c. The jury found the prisoner guilty of murder.

SOUTH AMERICA.

The Venezuelan privateer —, formerly the Ann, of Baltimore, was captured by the Dutch sloop of war Dolphin, and carried into Curacao for trial, for capturing Dutch property.

Bolivar is organizing a patriot army of 8000 men in New Grenada—his means are abundant. A part of the money found in the royal mint had reached Angostura, and given great life to the patriotic cause. Gen. Anquistugi was advancing on Santa Martha with 2000 men. Marino, with 2000, was in the province of Cumana. Bermudez was at Margaritta, organizing 1500 men of Devereaux's Irish corps. Paez, with 6000 men for Bolivar, was about to advance against the bloody Morillo, who had entrenched himself at Tinaquillo, but who it was supposed, would retire to Porto Cavello. Arismendi, who was sent a state-prisoner to Angostura, is vice president of the cortez, vice F. A. Zeta, resigned; and admiral Brion has been called before that body to give an account of his conduct.

Late letters from Buenos Ayres detail the preparations making to give the expedition from Cadiz, a warm reception; and we have no manner of doubt, if that expedition had reached Buenos Ayres, it would have been completely destroyed in less than a month—40,000 men, under gallant leaders who possess their confidence, would have acted against it, and it was designed to have sent all the women and children into the interior, &c.

The government of the United Provinces of the Rio de la Plata, is evidently gaining strength and solidity. The congress is constantly in session, and the supreme director, Rondeau, seems to have the confidence of the people.

A bad thing. The exclusive privilege of fishing for whale "in the bay of Coquimbo and the boundaries thereof," has been granted by the Chilean government, to the Chilean ship St. Rose del Pacifico. We hoped that the South Americans had been so much sickened with monopolies, that they would not have created any of them.

Sixteenth Congress.

List of the members composing the sixteenth congress.

SENATE.

New Hampshire—David L. Morrill, J. F. Parrot.
Massachusetts—Harrison G. Otis, Prentiss Mellen.
Connecticut—Samuel W. Dana, James Lanman.
Rhode-Island—James Burrill, jr. Wm. Hunter.
Vermont—Wm. A. Palmer, Isaac Tichenor.
New York—Nathan Sanford, (one vacancy.)
New Jersey—Mallou Dickinson, Jas. J. Wilson.
Pennsylvania—Jonathan Roberts, Walter Lowrie.
Delaware—Quaterbridge Horsey, Nicholas Van Dyke.

Maryland—(Two vacancies.)
Virginia—Jas. Barbour, John W. Eppes.
North Carolina—Nathaniel Macon, Montfort Stokes.

South Carolina—John Gaillard, Wm. Smith.
Georgia—Freeman Walker, John Elliot.
Kentucky—Wm. Logan, John J. Crittenden.
Tennessee—Jno. Williams, Jno. Henry Eaton.
Ohio—Benjamin Ruggles, Wm. A. Trimble.
Louisiana—Henry Johnson, Jas. Brown.
Indiana—Jas. Noble, Waller Taylor.
Mississippi—Walter Leake, Thomas H. Williams.
Alabama—Ninian Edwards, Jesse B. Thomas.

Elected but not yet entitled to a seat.

Alabama—J. W. Walker, Wm. R. King.

HOUSE OF REPRESENTATIVES.

New-Hampshire—Joseph Buflum, jr. Josiah Butler, Clifton Claggett, Arthur Livermore, Wm. Plummer, jr. and Nathaniel Upham.

Massachusetts—Benjamin Adams, Samuel C. Allen, Joshua Cushman, Edward Dowse, Walter Folger, jr. Timothy Fuller, Mark Langdon Hill, John Holmes, Jonas Kendall, Martin Kinsley, Samuel Lathrop, Enoch Lincoln, Jonathan Mason, Marcus Merton, Jeremiah Nelson, James Parker, Zabdiel Sampson, Henry Shaw, Nathaniel Silsbee and Ezekiel Whitman.

Rhode Island—Samuel Eddy, and Nathaniel Hazard.

Connecticut—Henry W. Edwards, Samuel A. Foot, Jonathan O. Mosley, Elisha Phelps, John Russ, Jas. Stephens, and Gideon Tomlinson.

Vermont—Samuel C. Crafts, Ezra Meech, Orsamus C. Merrill, Charles Rich, Mark Richards, and Wm. Strong.

New-York—Nathaniel Allen, Caleb Baker, Walter Case, Robert Clark, Jacob H. De Witt, John D. Dickinson, John Fay, Wm. D. Ford, Ebenezer Sage, Ezra C. Gross, Aaron Hackley, jr. George Hall, Joseph S. Lyman, Henry Meigs, Robert Monell, Harmanus Peck, Nathaniel Pitcher, Jonathan Richmond, Henry R. Storrs, Randall S. Street, James Strong, John W. Taylor, Caleb Tompkins, Albert H. Tracy, Solomon Van Rensselaer, Peter H. Wendover, and Silas Wood.

New-Jersey—Ephraim Bateman, Jos. Bloomfield, John Condit, John Linn, Bernard Smith, and Henry Southard.

Pennsylvania—Henry Baldwin, Andrew Boden, William Darlington, George Dennison, Samuel Edwards, Thomas Forrest, David Fullerton, Samuel Gross, Joseph Hemphill, Jacob Hibsham, Joseph Heister, Jacob Hostetter, William P. Maclay, David Marchand, Robert Moore, Samuel Moore, John Murray, Thomas Patterson, Robert Philson, Thomas J. Rogers, John Sergeant, Christian Tarr, and James M. Wallace.

Delaware—Willard Hall, and Louis McLane.

Maryland—Stevenson Archer, Thos. Bayly, Thomas Culbreth, Joseph Kent, Peter Little, Raphael Neale, Samuel Ringgold, Samuel Smith, and Henry R. Warfield.

Virginia—Mark Alexander, William Lee Ball, Philip P. Barbour, William A. Burwell, John Floyd, Robert S. Garnett, James Johnson, James Jones, William McCoy, Charles F. Mercer, Hugh Nelson, Thomas Newton, Severn E. Parker, James Pindall, James Pleasants, jr. John Randolph, Ballard Smith, Alexander Smyth, George F. Strother, Thomas V. Swearingen, George Tucker, and Jarad Williams.

North Carolina—Hutchins G. Burton, John Culpepper, Wm. Davidson, Weldon N. Edwards, Charles Fisher, Thos. H. Hall, Charles Hooks, Lemuel Sawyer, Thos. Settle, Jesse Stocumb, James S. Smith, Felix Walker, and Louis Williams.

South Carolina—Jos. Brevard, Elias Earle, James Ervin, Wm. Lowndes, James McCreary, James Overstreet, Charles Pinkney, Eldred Simkins, and Sterling, Tucker.

Georgia—Joel Abbot, Thos. W. Cobb, Joel Crawford, Robert R. Reid, John A. Cuthbert, and Wm. Terrell.

Kentucky—Rich. C. Anderson, jr. William Brown, Henry Clay, Benj. Hardin, Alney McLean, Thos. Metcalf, Tunstall Quarles, Geo. Robertson, David Trimble, and David Walker.

Tennessee—Robert Allen, Henry H. Bryan, Newton Cannon, John Cocke, Fran. Jones, and John Rhca.

Ohio—Philemon Beecher, Henry Brush, John W. Canappell, Saml. Herrick, Thos. R. Ross, and John Sloan.

Louisiana—Thomas Butler.

Indiana—Wm. Hendricks.

Mississippi—Christopher Rankin.

Illinois—Daniel P. Cook.

Alabama—John Crowell.

DELEGATES.

Missouri Territory—John Scott.

Michigan Territory—Wm. W. Woodbridge.

It has been our custom heretofore to give to the members their party designations, as republicans, federalists or neutrals. The difficulty of drawing the lines of demarkation satisfactorily at this time, has induced us not to attempt it. Yet the following general results may interest some of our readers.

The senate, when full, will consist of 31 republicans and 7 federalists—of whom 10 will be new members, including those for the new state of Alabama—in all 44 members.

The house of representatives is said to consist of about 154 republicans, 27 federalists, and five gentlemen designated as "neutrals"—in all 186 members; of whom 86 were not of the last congress.

CONGRESS.

Monday, Dec. 6, 1819.—This day being appointed for the meeting of the sixteenth congress of the U. States, at its first session, the members thereof assembled, at the hour of 12 o'clock, in their respective chambers, at the capitol.

IN THE SENATE.

Mr. Barbour, of Virginia, president pro tempore of the senate, having taken the chair.

The roll of members was called over, and it appeared that the following members were present, viz:

From New Hampshire—Mr. Morrill, Mr. Parrot.

Massachusetts—Mr. Otis, Mr. Mellen.

Connecticut—Mr. Dana, Mr. Lanman.

Rhode Island—Mr. Burrill, Mr. Hunter.

Vermont—Mr. Palmer, Mr. Tichenor.

New York—Mr. Sanford.

New Jersey—Mr. Dickerson, Mr. Wilson.

Pennsylvania—Mr. Roberts, Mr. Lowrie.

Delaware—Mr. Horsey, Mr. Van Dyke.

Virginia—Mr. Barbour.

North Carolina—Mr. Macon.

South Carolina—Mr. Gaillard, Mr. Smith.

Georgia—Mr. Elliot.

Kentucky—Mr. Logan.

Tennessee—Mr. Williams, Mr. Eaton.

Ohio—Mr. Ruggles, Mr. Trimble.

Louisiana—Mr. Brown.

Indiana—Mr. Noble, Mr. Taylor.

Mississippi—Mr. Leake, Mr. Williams.

Illinois—Mr. Edwards, Mr. Thomas.

A quorum being present, and the house of representatives being advised thereof, the senate proceeded to business.

The usual resolutions respecting furnishing members with newspapers, &c. were adopted.

A resolution was also passed for the appointment of a chaplain to the senate, to interchange weekly with the chaplain for the house of representatives.

A committee of enrolled bills was ordered to be appointed, and Mr. Wilson was chosen the committee on the part of the senate.

A committee of accounts was appointed, consisting of Messrs. *Roberts, Burrill and Lenke*.

A committee on engrossed bills was appointed, consisting of Messrs. *Mellen, Dickerson and Elliot*.

The president laid before the senate a copy of the constitution of government formed by the people of the state of Alabama, which was referred to a committee, consisting of Messrs. *Williams of Miss. Brown, and Macon*, to consider and report thereon.

And, after appointing a committee on their part, to wait on the president, and inform him that the senate were ready to receive any communication he might have to make,

The senate adjourned.

OFFICERS OF THE SENATE.

JAMES BARBOUR, president pro tem.

Charles Cuts, secretary.

Mountjoy Bayly, sergeant at arms.

Henry Timms, doorkeeper.

Wednesday, Dec. 8.—Mr. *Sanford* offered for consideration sundry resolutions, for the reference of the several subjects of the president's message to committees. They shall be further noticed when acted on.

A bill, to authorise the transmission, by members and officers of congress, free of postage, of any documents printed by order of either house of congress, was read three times, passed, and sent to the house of representatives. [A similar resolution was passed in the house.]

Mr. *Mellen* presented the memorial of the people of the district of Maine, praying to be admitted into the union on an equal footing with the original states, together with a copy of the constitution which they have formed for their government; and the same was referred to the committee to whom had been referred the constitution of the state of Alabama, and ordered to be printed.

Mr. *Williams*, of Miss. from the committee to whom that subject had been referred, reported a bill, declaring the admission of the state of Alabama into the union: which was twice read, ordered to be engrossed for a third reading, and subsequently read a third time, and passed.

HOUSE OF REPRESENTATIVES.

The list of members being called over by the clerk, it appeared that the following members were present, viz.

From *New Hampshire*—Messrs. *Buffum, Butler, Clagett, Livermore, Plumer, Upham*.

From *Massachusetts*—Messrs. *Adams, Allen, Cushman, Dowse, Folger, Hill, Holmes, Kendall, Kinsley, Lathrop, Lincoln, Mason, Morton, Nelson, Parker, Sampson, Shaw, Silsbee, Whittman*.

From *Rhode Island*—Messrs. *Eddy and Haxard*.

From *Connecticut*—Messrs. *Edwards, Foot, Mosely, Phelps, Russ, Stephens, Tomlinson*.

From *Vermont*—Messrs. *Crafts, Merrill, Rich, Richards, Strong*.

From *New York*—Messrs. *Allen, Baker, Case, Clark, De Witt, Dickinson, Fay, Ford, Gross, Hackley, Hall, Lyman, Meigs, Monnell, Peck, Pitcher, Richmond, Storrs, Street, Strong, Taylor, Tompkins, Tracy, Van Rensselaer, Wendover, Wood*.

From *New Jersey*—Messrs. *Bateman, Bloomfield, Linn, Smith, Southard*.

From *Pennsylvania*—Messrs. *Baldwin, Darlington, Edwards, Forrest, Fullerton, Gross, Hemphill, Hibsham, Heister, Hostetter, Maclay, Marchand, Robert Moore, Samuel Moore, Murray, Patterson, Rogers, Sergeant, Tarr, Wallace*.

From *Delaware*—Mr. *McLane*.

From *Maryland*—Messrs. *Archer, Culbreth, Kent, Little, Neale, Ringgold, Smith, Warfield*.

From *Virginia*—Messrs. *Alexander, Ball, Barbour, Burwell, Floyd, Carnett, Jones, McCoy, Mercer, Nelson, Newton, Parker, Pindall, Pleasants, Smyth, Strother, Swearingen, Tucker, Williams*.

From *North Carolina*—Messrs. *Burton, Culpeper, Fisher, Hall, Smith, Walker, Williams*.

From *South Carolina*—Messrs. *Brevard, McCrea, Overstreet, Pinckney, Sinkins, Tucker*.

From *Georgia*—Messrs. *Abbot, Cobb, Crawford, Reid*.

From *Kentucky*—Messrs. *Anderson, Brown, Clay, McLean, Metcalfe, Quarles, Robertson, Trimble, Walker*.

From *Tennessee*—Messrs. *Allen, Bryan, Cannon, Cocke, Jones, Rhea*.

From *Ohio*—Messrs. *Beecher, Brush, Campbell, Herrick, Ross, Sloan*.

From *Indiana*—Mr. *Hendricks*.

From *Mississippi*—Mr. *Rankin*.

From *Illinois*—Mr. *Cook*.

From *Alabama*—Mr. *Crowell*.

Delegate from *Missouri territory*—Mr. *Scott*.

The house then proceeded to the choice of a speaker, by ballot; and the ballots having been counted by Mr. *Pleasants* and Mr. *Mosely*, it appeared that the whole number of votes given in was 155; of which there were

For Henry Clay, of Kentucky,	147
Scattering votes,	8

So that Mr. *CLAY* was duly elected speaker of the house of representatives. He was accordingly conducted to the chair by Mr. *Pleasants* and Mr. *Mosely*, and the oath of office was administered to him by Mr. *Newton*.

When Mr. *Clay*, the speaker elect, addressed the house as follows:

"GENTLEMEN: Again called, by your favorable opinion, to the distinguished station to which I have been frequently assigned by that of your predecessors, I owe to you the expression of my most respectful thanks; and I pray you to believe that I feel inexpressible gratitude, as well as for the honor itself, as for the flattering manner in which it has been conferred. In our extensive confederacy, gentlemen, embracing such various and important relations, it must necessarily happen that each successive session of the house of representatives will bring with it subjects of the greatest moment. During that which we are now about to open, we have every reason to anticipate that the matters, which we shall be required to consider and to decide, possess the highest degree of interest. To give effect to our deliberations, to enable us to command the respect of those who may witness or be affected by them, and to entitle us to the affection and confidence of our constituents, the maintenance of order and decorum is absolutely necessary. Being quite sure that your own comfort, your sense of propriety, and the just estimate you must make of the dignity which belongs to this house, will induce you to render to the chair your cordial co-operation, I proceed to discharge its duties, with the sincere assurance of employing my best exertions to merit the choice which you have been pleased to make. And it will be to me the greatest happiness, if I should be so fortunate as to satisfy, in this respect, your expectations."

The members were then called over by states, and severally sworn to support the constitution of the United States.

The house proceeded to the choice of a clerk.

and, on motion, THOMAS DOUGHERTY was appointed, *nem. con.*

In like manner, *Thomas Dunn* was appointed sergeant at arms, *Thomas Claxton*, doorkeeper, and *Benjamin Burch*, assistant doorkeeper to the house.

The rules and orders observed by the last house for its government, were temporarily established for the government of this house.

The usual rules respecting newspapers, &c. were adopted.

Mr. *Anderson* of Ky. presented to the house the constitution formed by the people of the territory of Alabama for their government—which was referred to a select committee, and ordered to be printed.

And, after appointing a committee on their part to join the committee appointed by the senate to wait on the president, the house adjourned until to-morrow.

OFFICERS OF THE HOUSE OF REPRESENTATIVES.

HENRY CLAY, speaker.

Thomas Dougherty, clerk.

Thomas Dunn, sergeant at arms,

Thomas Claxton, doorkeeper.

Benjamin Burch, assistant do.

PRESIDENT'S MESSAGE.

Tuesday, Dec. 7, 1819.—This day at 12 o'clock, the president of the United States transmitted to both houses of congress, by Mr. J. J. Monroe, the following MESSAGE:

Fellow citizens of the senate

and of the house of representatives:

The public buildings being advanced to a stage to afford accommodation to congress, I offer you my sincere congratulation on the recommencement of your duties in the capitol.

In bringing to view the incidents most deserving attention, which have occurred since your last session, I regret to have to state that several of our principal cities have suffered by sickness—that an unusual drought has prevailed in the middle and western states, and that a derangement has been felt in some of our monied institutions, which has proportionably affected their credit. I am happy, however, to have it in my power to assure you, that the health of our cities is now completely restored, that the produce of the year, though less abundant than usual, will not only be amply sufficient for home consumption, but afford a large surplus for the supply of the wants of other nations—and that the derangement in the circulating paper medium, by being left to those remedies which its obvious causes suggested, and the good sense and virtue of our fellow citizens supplied, has diminished.

Having informed congress on the 27th of February last, that a treaty of amity and settlement and limits had been concluded in this city, between the United States and Spain, and ratified by the competent authorities of the former, full confidence was entertained that it would have been ratified by his catholic majesty, with equal promptitude, and a like earnest desire to terminate, on the conditions of that treaty, the differences which had so long existed between the two countries. Every view which the subject admitted of, was thought to have justified this conclusion. Great losses had been sustained by citizens of the United States, from Spanish cruisers, more than twenty years before, which had not been redressed. These losses had been acknowledged and provided for by a treaty, as far back as the year 1802, which, although concluded at Madrid, was not then ratified by the go-

vernment of Spain, nor since, until the last year, when it was suspended by the late treaty, a more satisfactory provision to both parties, as was presumed, having been made for them. Other differences had arisen in this long interval, affecting their highest interests, which were likewise provided for by this last treaty. The treaty itself was formed on great consideration, and a thorough knowledge of all circumstances, the subject matter of every article having been for years under discussion, and repeated references having been made by the minister of Spain to his government, on the points respecting which the greatest difference of opinion prevailed. It was formed by a minister duly authorised for the purpose, who had represented his government in the United States, and been employed in this long protracted negotiation several years, and who, it is not denied, kept strictly within the letter of his instructions. The faith of Spain was therefore pledged, under circumstances of peculiar force and solemnity, for its ratification. On the part of the United States this treaty was evidently acceded to in a spirit of conciliation and concession. The indemnity for injuries and losses so long before sustained, and now again acknowledged and provided for, was to be paid by them, without becoming a charge on the treasury of Spain. For territory ceded by Spain, other territory, of great value, to which our claim was believed to be well founded, was ceded by the United States, and in a quarter more interesting to her. This cession was, nevertheless, received as the means of indemnifying our citizens in a considerable sum, the presumed amount of their losses. Other considerations, of great weight, urged the cession of this territory by Spain. It was surrounded by the territories of the United States on every side, except on that of the ocean. Spain had lost her authority over it, and, falling into the hands of adventurers connected with savages, it was made the means of unceasing annoyance and injury to our union, in many of its most essential interests. By this cession then, Spain ceded a territory, in reality, of no value to her, and obtained concessions of the highest importance, by the settlement of long standing differences with the United States, affecting their respective claims and limits, and likewise relieved herself of the obligation of a treaty relating to it, which she had failed to fulfil, and also from the responsibility incident to the most flagrant and pernicious abuses of her rights where she could not support her authority.

It being known that the treaty was formed under these circumstances, not a doubt was entertained that his catholic majesty would have ratified it, without delay. I regret to have to state that this reasonable expectation has been disappointed—that the treaty was not ratified within the time stipulated, and has not been ratified. As it is important that the nature and character of this unexpected occurrence should be distinctly understood, I think it my duty to communicate to you all the facts and circumstances in my possession, relating to it.

Anxious to prevent any future disagreement with Spain, by giving the most prompt effect to the treaty, which had been thus concluded, and particularly by the establishment of a government in Florida, which should preserve order there, the minister of the United States, who had been recently appointed to his catholic majesty, and to whom the ratification, by his government, had been committed, to be exchanged for that of Spain, was instructed to transmit the latter to the department of state as soon as obtained, by a public ship, subjected to his

order for the purpose. Unexpected delay occurring in the ratification by Spain, he requested to be informed of the cause. It was stated in reply, that the great importance of the subject, and a desire to obtain explanations on certain points, which were not specified, had produced the delay, and that an envoy would be despatched to the U. States, to obtain such explanations of this government. The minister of the U. States offered to give full explanation on any point on which it might be desired; which proposal was declined. Having communicated this result to the department of state in August last, he was instructed, notwithstanding the disappointment and surprise which it produced, to inform the government of Spain, that if the treaty should be ratified, and transmitted here at any time before the meeting of congress, it would be received, and have the same effect as if it had been ratified in due time. This order was executed, the authorised communication was made to the government of Spain, and by its answer, which has just been received, we are officially made acquainted, for the first time, with the causes which have prevented the ratification of the treaty by his catholic majesty. It is alleged by the minister of Spain, that this government had attempted to alter one of the principal articles of the treaty, by a declaration, which the minister of the United States had been ordered to present, when he should deliver the ratification by his government in exchange for that of Spain; and of which he gave notice, explanatory of the sense in which that article was understood. It is further alleged, that this government had recently tolerated, or protected, an expedition from the United States, against the province of Texas. These two imputed acts, are stated as the reasons which have induced his catholic majesty to withhold his ratification from the treaty, to obtain explanations respecting which it is repeated that an envoy would be forthwith despatched to the United States. How far these allegations will justify the conduct of the government of Spain, will appear on a view of the following facts, and the evidence which supports them.

It will be seen by the documents transmitted herewith, that the declaration mentioned relates to a clause in the eighth article, concerning certain grants of land, recently made by his catholic majesty, in Florida, which it was understood had conveyed all the lands which till then had been ungranted. It was the intention of the parties to annul these latter grants, and that clause was drawn for that express purpose, and for none other. The date of these grants was unknown, but it was understood to be posterior to that inserted in the article: indeed it must be obvious to all, that if that provision in the treaty had not the effect of annulling these grants, it would be altogether nugatory. Immediately after the treaty was concluded and ratified by this government, an intimation was received that these grants were of anterior date to that fixed on by the treaty, and that they would not, of course, be affected by it. The mere possibility of such a case, so inconsistent with the intention of the parties, and the meaning of the article, induced this government to demand an explanation on the subject, which was immediately granted, and which corresponds with this statement. With respect to the other act alleged, that this government had tolerated or protected an expedition against Texas, it is utterly without foundation. Every discountenance has invariably been given to every such attempt within the limits of the United States, as is fully evinced by the acts of the govern-

ment, and the proceedings of the courts. There being cause, however, to apprehend, in the course of the last summer, that some adventurers entertained views of the kind suggested, the attention of the constituted authorities in that quarter was immediately drawn to them, and it is known that the project, whatever it might be, has utterly failed.

These facts will, it is presumed, satisfy every impartial mind, that the government of Spain had no justifiable cause for declining to ratify the treaty. A treaty, concluded in conformity with instructions is obligatory, in good faith, in all its stipulations, according to the true intent and meaning of the parties.—Each party is bound to ratify it. If either could set aside, without the consent of the other, there would be no longer any rules applicable to such transactions between nations. By this proceeding, the government of Spain has rendered to the United States a new and very serious injury. It has been stated that a minister would be sent to ask certain explanations of this government. But, if such were desired, why were they not asked within the time limited for the ratification? Is it contemplated to open a new negotiation respecting any of the articles or conditions of the treaty? If that were done, to what consequences might it not lead? At what time, and in what manner would a new negotiation terminate? By this proceeding, Spain has formed a relation between the two countries which will justify any measures, on the part of the United States, which a strong sense of injury and a proper regard for the rights and interests of the nation may dictate. In the course to be pursued, these objects should be constantly held in view, and have their due weight. Our national honor must be maintained, and a new and a distinguished proof be afforded, of that regard for justice and moderation which has invariably governed the councils of this free people. It must be obvious to all, that if the United States had been desirous of making conquests, or had been even willing to aggrandize themselves in that way, they could have had no inducement to form this treaty. They would have much cause for gratulation at the course which has been pursued by Spain. An ample field for ambition is open before them. But such a career is not consistent with the principles of their government nor the interests of the nation.

From a full view of all circumstances, it is submitted to the consideration of congress whether it will not be proper for the United States to carry the conditions of the treaty into effect, in the same manner as if it had been ratified by Spain, claiming on their part all its advantages, and yielding to Spain those secured to her. By pursuing this course, we shall rest on the sacred ground of right, sanctioned in the most solemn manner by Spain herself by a treaty which she was bound to ratify—for refusing to do which she must incur the censure of other nations, even those most friendly to her; while, by confining ourselves within that limit, we cannot fail to obtain their well merited approbation. We must have peace on a frontier where we have been so long disturbed; our citizens must be indemnified for losses so long since sustained, and for which indemnity has been so unjustly withheld from them. Accomplishing these great objects, we obtain all that is desirable.

But his catholic majesty has twice declared his determination to send a minister to the United States, to ask explanations on certain points, and to give them, respecting his delay to ratify the treaty. Shall we act, by taking the ceded territory, and proceeding to execute the other conditions of the

treaty, before this minister arrives and is heard? This is a case which forms a strong appeal to the candor, the magnanimity, and honor of this people. Much is due to courtesy between nations. By a short delay we shall lose nothing; for, resting on the ground of immutable truth and justice, we cannot be diverted from our purpose. It ought to be presumed, that the explanations, which may be given to the minister of Spain, will be satisfactory, and produce the desired result. In any event, the delay for the purpose mentioned, being a further manifestation of the sincere desire to terminate, in the most friendly manner, all differences with Spain, cannot fail to be duly appreciated by his catholic majesty, as well as by other powers. It is submitted, therefore, whether it be proper to make the law, proposed for carrying the conditions of the treaty into effect, should it be adopted, contingent; to suspend its operations, upon the responsibility of the executive, in such manner as to afford an opportunity for such friendly explanations as may be desired, during the present session of congress.

I communicate to congress a copy of the treaty and of the instructions to the minister of the United States, at Madrid, respecting it; of his correspondence with the minister of Spain, and of such other documents as may be necessary to give a full view of the subject.

In the course which the Spanish government have, on this occasion, thought proper to pursue, it is satisfactory to know, that they have not been countenanced by any European power. On the contrary, the opinion and wishes, both of France and Great Britain, have not been withheld either from the United States or from Spain, and have been unequivocal in favor of the ratification. There is also reason to believe, that the sentiments of the imperial government of Russia have been the same, and that they have also been made known to the cabinet of Madrid.

In the civil war existing between Spain and the Spanish provinces in this hemisphere, the greatest care has been taken to enforce the laws intended to preserve an impartial neutrality. Our ports have continued to be equally open to both parties, and on the same conditions, and our citizens have been equally restrained from interfering in favor of either, to the prejudice of the other. The progress of war, however, has operated manifestly in favor of the colonies. Buenos Ayres still maintains, unshaken, the independence which it declared in 1816, and has enjoyed since 1810. Like success has lately attended Chili and the provinces north of the La Plata, bordering on it; and likewise Venezuela.

This contest has, from its commencement, been very interesting to other powers, and to none more so than to the United States. A virtuous people may and will confine themselves within the limits of a strict neutrality; but it is not in their power to behold a conflict so vitally important to their neighbors, without the sensibility and sympathy which naturally belong to such a case. It has been the steady purpose of this government to prevent that feeling leading to excess--and it is very gratifying to have it in my power to state, that so strong has been the sense, throughout the whole community, of what was due to the character and obligations of the nation, that few examples of a contrary kind have occurred.

The distance of the colonies from the parent country, and the great extent of their population and resources, gave them advantages which, it was anticipated, at a very early period, it would be dif-

ficult for Spain to surmount. The steadiness, consistency, and success, with which they have pursued their object, as evinced more particularly by the undisputed sovereignty which Buenos Ayres has so long enjoyed, evidently give them a strong claim to the favorable consideration of other nations. These sentiments, on the part of the United States, have not been withheld from other powers, with whom it is desirable to act in concert. Should it become manifest to the world, that the efforts of Spain to subdue those provinces will be fruitless, it may be presumed that the Spanish government itself will give up the contest. In producing such a determination, it cannot be doubted that the opinion of friendly powers, who have taken no part in the controversy, will have their merited influence.

It is of the highest importance to our national character and indispensable to the morality of our citizens, that all violations of our neutrality should be prevented. No door should be left open for the evasion of our laws; no opportunity afforded to any who may be disposed to take advantage of it, to compromise the interest or honor of the nation. It is submitted therefore, to the consideration of congress, whether it may not be advisable to revise the laws, with a view to this desirable result.

It is submitted, also, whether it may not be advisable to designate by law, the several ports or places along the coast at which, only, foreign ships of war and privateers may be admitted. The difficulty of sustaining the regulations of our commerce, and of other important interests, from abuse, without such designation, furnishes a strong motive for this measure.

At the time of the negotiation for the renewal of the commercial convention between the U. States and Great Britain, a hope had been entertained that an article might have been agreed upon, mutually satisfactory to both countries, regulating, upon principles of justice and reciprocity, the commercial intercourse between the United States and the British possessions, as well in the West Indies as upon the continent of North-America. The plenipotentiaries of the two governments not having been able to come to an agreement on this important interest, those of the United States reserved for the consideration of this government the proposals which had been presented to them as the ultimate offer on the part of the British government, and which they were not authorized to accept. On their transmission here, they were examined with due deliberation, and the result of which was, a new effort to meet the views of the British government. The minister of the United States was instructed to make a further proposal, which has not been accepted. It was, however, declined in an amicable manner. I recommend to the consideration of congress, whether further prohibitory provisions in the laws relating to this intercourse, may not be expedient. It is seen, with interest, that, although it has not been practicable as yet to agree in any arrangement of this important branch of their commerce, such is the disposition of the parties, that each will view any regulations, which the other may make respecting it, in the most friendly light.

By the 5th article of the convention, concluded on the 20th of October, 1818, it was stipulated that the differences which had arisen between the two governments, with regard to the true intent and meaning of the fifth article of the treaty of Ghent, in relation to the carrying away, by British officers, of slaves from the United States, after the exchange of the ratifications of the treaty of peace, should be referred to the decision of some friendly sovereign

or state, to be named for that purpose. The minister of the United States has been instructed to name to the British government a foreign sovereign, the common friend to both parties, for the decision of this question. The answer of that government to the proposal, when received, will indicate the further measures to be pursued on the part of the U. States.

Although the pecuniary embarrassments which affected various parts of the union during the latter part of the preceding year have, during the present, been considerably augmented, and still continue to exist, the receipts into the treasury, to the 30th of September last, have amounted to \$19,000,000. After defraying the current expenses of the government, including the interest and reimbursement of the public debt, payable to that period, amounting to \$18,200,000, there remained in the treasury, on that day, more than \$2,500,000, which, with the sums receivable during the remainder of the year, will exceed the current demands upon the treasury for the same period.

The causes which have tended to diminish the public receipts, could not fail to have a corresponding effect upon the revenue which has accrued upon imposts and tonnage, during the three first quarters of the present year. It is, however, ascertained that the duties which have been secured during that period, exceed \$18,000,000, and those of the whole year will probably amount to \$23,000,000.

For the probable receipts of the next year, I refer you to the statements which will be transmitted from the treasury, which will enable you to judge whether further provision be necessary.

The great reduction in the price of the principal articles of domestic growth, which has occurred during the present year, and the consequent fall in the price of labor, apparently so favorable to the success of domestic manufacture, have not shielded them against other causes adverse to their prosperity. The pecuniary embarrassments which have so deeply affected the commercial interests of the nation, have been no less adverse to our manufacturing establishments, in several sections of the union.

The great reduction of the currency which the banks have been constrained to make, in order to continue specie payments, and the vitiated character of it, where such reductions have not been attempted, instead of placing within the reach of these establishments the pecuniary aid necessary to avail themselves of the advantages resulting from the reduction of the prices of the raw materials and of labor, have compelled the banks to withdraw from them a portion of the capital heretofore advanced to them. That aid which has been refused by the banks, has not been obtained from other sources, owing to the loss of individual confidence, from the failures which have recently occurred in some of our principal commercial cities.

An additional cause of the depression of these establishments may, probably, be found in pecuniary embarrassments which have recently affected those countries with which our commerce has been principally prosecuted. Their manufactures, for the want of a ready or profitable market at home, have been shipped by the manufacturers to the U. States, and, in many instances, sold at a price below their current value at the place of manufacture. Although this practice may, from its nature, be considered temporary or contingent, it is not, on that account, less injurious in its effects. Uniformity

in the demand and price of an article, is highly desirable to the domestic manufacturer.

It is deemed of great importance to give encouragement to our domestic manufacturers. In what manner the evils adverted to may be remedied, and how far it may be practicable, in other respects, to afford to them further encouragement, paying due regard to all the other great interests of the nation, is submitted to the wisdom of congress.

The survey of the coast for the establishment of fortifications is now nearly completed, and considerable progress has been made in the collection of materials for the construction of fortifications in the Gulf of Mexico and in the Chesapeake bay. The works on the eastern bank of the Potomac, below Alexandria, and on the Peapatch in the Delaware, are much advanced; and it is expected that the fortifications at the Narrows, in the harbor of New-York, will be completed the present year. To derive all the advantages contemplated from these fortifications, it was necessary that they should be judiciously posted and constructed with a view to permanence. The progress hitherto has, therefore, been slow; but as the difficulties, in parts hitherto the least explored and known, are surmounted, it will, in future, be more rapid. As soon as the survey of the coast is completed, which, it is expected, will be done early in the next spring, the engineers employed in it will proceed to examine, for like purposes, the northern and north-western frontiers.

The troops intended to occupy a station at the mouth of the St. Peters, on the Mississippi, have established themselves there; and those which were ordered to the mouth of the Yellow Stone, on the Missouri, have ascended that river to the Council Bluffs, where they will remain until next spring, when they will proceed to the place of their destination. I have the satisfaction to state, that this measure has been executed in amity with the Indian tribes, and that it promises to produce, in regard to them, all the advantages which were contemplated by it.

Much progress has likewise been made in the construction of ships of war, and in the collection of timber and other materials for ship building. It is not doubted that our navy will soon be augmented to the number, and placed, in all respects, on the footing provided for by law.

The board consisting of engineers and naval officers, have not yet made their final report of sites for two naval depots, as instructed, according to the resolution of March 18th and April 20th, 1818, but they have examined the coast therein designated, and their report is expected in the next month.

For the protection of our commerce in the Mediterranean, along the southern Atlantic coast, in the Pacific and Indian oceans, it has been found necessary to maintain a strong naval force, which it seems proper for the present to continue. There is much reason to believe, that if any portion of the squadron heretofore stationed in the Mediterranean should be withdrawn, our intercourse with the powers bordering on that sea would be much interrupted, if not altogether destroyed. Such, too, has been the growth of a spirit of piracy, in the other quarters mentioned, by adventurers from every country in abuse of the friendly flags which they have assumed, that not to protect our commerce there, would be to abandon it as a prey to their rapacity. Due attention has likewise been paid to the suppression of the slave trade, in compliance with a law of the last session. Orders have been given to the commanders of all our public ships to seize all vessels, navigated under our flag, engaged in that trade, and

to bring them in, to be proceeded against in the manner prescribed by that law. It is hoped that these vigorous measures, supported by like acts by other nations, will soon terminate a commerce so disgraceful to the civilized world.

In the execution of the duty imposed by these acts, and of a high trust connected with it, it is with deep regret I have to state the loss which has been sustained by the death of commodore Perry. His gallantry in a brilliant exploit, in the late war, added to the renown of his country. His death is deplored as a national misfortune.

JAMES MONROE.

Washington, Dec. 7, 1819.

Wednesday, Dec. 8. The following members, in addition to those already announced, appeared yesterday, were qualified, and took their seats, viz: From Pennsylvania, Mr. *Dennison*; from Virginia, Mr. *Ballard Smith*; from Georgia, Mr. *Terrell*.

The following other members appeared this day, viz: From North Carolina, Messrs. *Davidson*, *Hooks*, *Slocumb* and *Settle*; from Virginia, Messrs. *Johnson* and *Randolph*; from South Carolina, Mr. *Lowmides*.

The following committees were announced to have been appointed by the speaker, in pursuance of the order of yesterday and the preceding day.

To take into consideration the constitution of the state of Alabama.—Messrs. *Anderson*, *Taylor* and *Pleasants*.

Joint committee on enrolled bills.—Messrs. *Darlington* and *Foot*.

Mr. *Holmes*, of Massachusetts, presented a memorial from the people of Maine, praying to be admitted into the Union on an equal footing with the original state, together with a copy of the constitution formed for the state; which was referred to a committee of five members, and ordered to be printed.

Mr. *Scott*, of Missouri, presented the memorial of the legislature of the territory of Missouri, praying to be authorised to form a constitution of state government, and to be admitted into the union on an equal footing with the original states; which was also referred to a select committee.

On motion of Mr. *Rhea*, it was resolved, that the house do now proceed to the appointment of the standing committees, pursuant to the rules and orders of the house. [The effect of this order is, that the speaker proceeds to appoint them, and that they will be announced to the house to-morrow.]

Mr. *Strong*, of New York, gave notice that on to-morrow he should ask leave to introduce a bill to prohibit the further extension of slavery within the territories of the United States.

President's message.

On motion of Mr. *Taylor*, of New-York, the house resolved itself into a committee of the whole on the state of the union, Mr. *Nelson*, of Virginia, being called to the chair.

The president's message of yesterday being taken into consideration—

Mr. *Taylor* offered for the consideration of the committee the following resolutions:

1. *Resolved*, That so much of the message of the president of the United States as relates to the subject of carrying into effect the late treaty between the United States and Spain; the condition of the independent governments of South America; the admission into our ports of foreign ships of war and privateers, and all other subjects of foreign affairs, be referred to a select committee.

2. That so much of the message as relates to fortifications, and other military subjects, be referred to a select committee:

3. That so much as relates to the navy, naval depots, and the protection of our commerce, upon the ocean, be referred to a select committee.

4. That so much of the message as relates to manufactures and to our commercial intercourse with British colonial ports, be referred to the committee of commerce and manufactures.

5. That so much of the message as relates to the suppression of the slave trade, be referred to a select committee.

6. That so much of the message as relates to the subject of revenue, be referred to the committee of ways and means.

These resolutions were separately agreed to without debate, excepting some conversation respecting that which relates to the committee of commerce and manufactures, in consequence of a motion yesterday made by Mr. *Little*, of Maryland, and now pending, to distribute the subjects of commerce and manufactures to two distinct committees. The resolutions, however, were agreed to. After which—

Mr. *Taylor* again rose, and after some remarks upon the proceedings had in the last congress on the several subjects, offered the following resolutions—

1. *Resolved*, That the subject of organizing and disciplining the militia, be referred to a select committee.

2. That the subject of improving the Indian tribes in the arts of civilized life, be referred to a select committee.

3. That the subject of roads and canals be referred to a select committee.

4. That the subject of the public buildings be referred to a select committee.

5. That the subject of revolutionary pensions be referred to a select committee.

6. That the said select committees have leave to report by bill or otherwise.

The question was taken on these resolutions, without debate, and decided in the affirmative, without opposition.

The consideration of the resolve for amending the rules of the house, so as to direct the appointment of a committee of commerce, and another committee of manufactures, in lieu of the committee of commerce and manufactures heretofore annually appointed, was then called for.

Mr. *Newton* opposed the motion, at considerable length. Mr. *Little* thought that manufactures were of sufficient magnitude of themselves, to occupy the attention of a committee—and his proposed amendment to the rules of the house was agreed to—ayes 88, nays 60.

So there will be a committee specially charged with the concerns of manufactures.

The rev. B. Allison was appointed chaplain to the house—for the rev. B. Allison 75; the rev. Mr. Smith 61; the rev. Mr. Post 18;—there being no choice, another ballot was taken, and Mr. Allison received 81 votes and Mr. Smith 78.

The resolution from the senate, declaring the admission of the state of Alabama into the union on an equal footing with the original states, was received, and twice read. With considerable opposition as to the day on which it should be read a third time, to-day was determined on—and it was read a third time, finally passed, without a division, and returned to the senate. [The yeas and nays were required on its passage, but the requisition was not sustained by one fifth of the house, the necessary number.]

And the house adjourned.

Thursday's proceedings

In the senate—the rev. Mr. Post was appointed chaplain. Mr. Roberts presented a memorial from the chamber of commerce of Philadelphia, in favor of an uniform system of bankruptcy.

In the house of representatives—two other members appeared; Mr. Boden, of Pa. and Mr. Edwards, of N. C.

The speaker then announced the appointment of the several committees—which shall be given at length hereafter.

Among the petitions presented to-day, was the memorial of the Philadelphia society for the encouragement of manufactures, and one from the New York society for educating the deaf and dumb, praying for a donation of land, to aid them in their purposes.

On motion of Mr. Campbell, of Ohio, a committee was ordered to be appointed to report a bill, providing for taking the fourth census or enumeration of the inhabitants of the United States.

Mr. Strong, of New York, rose and intimated to the house, that, not desiring to embarrass the question which would probably arise on the Missouri bill now before the house, he should at present waive the motion which he yesterday announced his intention to make, for leave to introduce a bill to prohibit a further extension of slavery within the territories of the United States.

Mr. Pinkney, of South Carolina, gave notice that on this day week he should ask leave to introduce a bill to be entitled “an act to establish a circulating medium for the United States, and to sustain the credit and utility thereof.” He had understood he said, that, on the last day of the last session of congress, a resolution had passed which had in some degree referred this subject to the secretary of the treasury. He had therefore determined to postpone for a week this motion, to give to the house an opportunity to receive the report of the secretary of the treasury on the subject.

CHRONICLE.

Great Western canal. Many boats appear to be passing and repassing on this canal, between Utica and Salina.

Maryland. The legislature of this state assembled at Annapolis on Monday last. Gen. Stansbury, of Baltimore county, was elected speaker of the house of Delegates, and John Brewer, esq. clerk.

Law Intelligence. Ten or eleven persons, who composed a part of the crew of the Irresistible, who ran away with that vessel from Margarita, were convicted of piracy before the circuit court of the United States, recently sitting at Baltimore.

On Monday the 29th of Nov. affidavits were made by two seamen who had been on board the Irresistible privateer, stating that John D. Daniels, then being the commander of the said privateer, hove in sight of a vessel on the high seas, which he ordered one of his officers to board, which was accordingly done by him, and upon his return he reported that she was a British vessel, but that the captain was very abusive; Daniels then ordered the captain to come on board his ship, which he declined doing, assigning as a reason that his boat was leaky; whereupon Daniels ordered a gun to be fired into the British vessel, she being then alongside of the privateer, and within a few paces distance from her, which order to fire was immediately executed, and the commander of the British ves-

sel was killed by the wad of the gun, the ball having struck about midway the ship fired at. Upon this evidence, judges Duvall and Bland ordered a bench warrant to be issued against Daniels for the alleged offence. On Tuesday the 30th of November, Daniels was brought into court by the marshal, and as judge Duvall had left the city, this case was then presented to judge Bland, who examined several witnesses produced by Daniels, who deposed substantially to the same facts as those proved by the witnesses who had been examined the preceding day, except that when the order was given to fire, it was immediately countermanded, but that still the gun was fired, and the captain of the British ship was killed after they ascertained the national character of the vessel; and the witnesses further proved that Daniels was at the time of firing the gun sailing under the flag of the Oriental Republic, or in other words the flag of Artigas. It was admitted on the examination of this case, that John D. Daniels, the commander of the privateer, was a native born citizen of the United States. The case was argued on the part of Daniels by Mr. Pinkney and Mr. Winder, and his honor judge Bland discharged capt. Daniels from arrest altogether, stating that he was guilty of no offence according to the law of nations, and in this case the occurrence appears to have been the effect of accident.

The following correction of the preceding account was published the next day—

“We are requested to state, that there was no communication between the two vessels whatever previous to the unfortunate accident which caused the death of captain Ross—that the firing of the gun was done by a sailor without orders from any one, for which he was punished by captain Daniels. And we are requested further to state, that captain Daniels is a naturalized citizen of South America, and holds a situation as “captain commandante in the Banda oriental republican navy.”

Virginia. The legislature of this state met at Richmond, on Monday last—both houses formed a quorum. Mr. Banks was re-elected speaker of the house of delegates, and Mr. Watts of the senate. A letter was read from J. W. Eppes, esq. resigning his seat in the senate of the United States, on account of ill health. The usual executive communication was also read, and shall be registered.

Washington Nov. 30.—The editors have information on which they can rely, that the consequences of the rash invasion of the Spanish territory, by a handful of men from the American lines, are proving to be such as might naturally have been expected. After the dispersion of these men, those settlers in Texas who had associated with them, were left in a most pitiable condition. All the American settlers have been obliged to cross over to this side the line, and leave behind them the fruits of their industry and the hopes of their families.—The Spaniards from St. Antonio, 1700 strong, with six pieces of cannon, were, about the 1st of this month, near Labadie. Their intention was to establish a post at Nacogdoches, and settle the province. General Long had gone to Lafitte's at Galveztown; and it was considered unsafe for him to return by the route by which he went out. With such materials as composed the expedition, it was impossible any other result could have attended it. The soldiers were generally of the most worthless order—men unfit for any service, and even such as were discharged, on account of their worthlessness, from the service of daily laborers at Baton Rouge and other posts.

Nat. Intel.

NILES' WEEKLY REGISTER.

SUPPLEMENTARY TO NO. 15—VOLUME V.—NEW SERIES.

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

The Missouri Question.

FROM A PHILADELPHIA PAPER.

On the 23d Nov. ultimo, a very numerous and respectable meeting was held in the state house, in the same chamber in which the declaration of independence was decided: the object was to consider on an application to congress, to resist the extension of human slavery in the new states that are about to be, or may hereafter be, added to this confederation.

Jared Ingersol, esq. was called to the chair—and *Robert Ralston, esq.* appointed secretary.

The business of the meeting was opened by *Mr. Horace Binney*, in a very perspicuous and eloquent speech, in which he most ably and clearly developed the inhumanity, impolicy, and injustice of slavery generally; its pernicious tendency on human society, and its incompatibility with republican institutions, with the spirit of our revolution and constitutions, and with human and divine laws. He also most clearly demonstrated the power and obligation on congress, to prohibit the extension of slavery to new states. His argument on the constitutional part of the question, was so explicit and perspicuous, as to place the point beyond the possibility of controversion: The whole speech ought to be published; had we been aware of such a speech, we should have taken care that it should not have gone off with the delivery alone.

After *Mr. Binney* had thus opened the business, he offered a series of resolutions, which, being read, were adopted unanimously—and a committee of correspondence appointed.

The following resolutions were unanimously adopted, viz.

Whereas, it is a constitutional privilege guaranteed to the citizens of the United States, peaceably to assemble and express their sentiments on subjects of great public concern, and under some circumstances, the exercise of that right is urged by the most imperative dictates of reason, enjoined by the tenderest duties of benevolence, and above all sanctioned by the solemn obligations of religion. These combined motives are awakened and necessarily prevail at a moment when a question is to be determined, which not only involves the freedom of unborn generations, but is inseparably connected with the security and happiness of a great and growing empire.

The slavery of the human species being confessedly one of the greatest evils which exists in the United States—palpably inconsistent with the principles upon which the independence of this nation was asserted, and justified before God, and the world, as well as at variance with the indestructible doctrines of universal liberty and right, upon which our constitution is erected, it unavoidably follows, that personal bondage beyond those states which were originally parties to the confederation must be deprecated, and should be prevented by an exertion of the legitimate power of congress—

Therefore *Resolved*, that in the opinion of this meeting, it will be inconsistent in principle, unwise in policy and ungovernable in power, to allow states hereafter to be created members of the American

union, to establish or tolerate slavery within their jurisdiction, and that every lawful means should be employed to prevent so great a moral and political transgression.

Resolved, That this meeting will adopt a memorial, to be signed by our fellow citizens, imploring the congress of the United States to exert all their constitutional power for the prevention of slavery in states hereafter to be admitted into the union.

Resolved, That a committee of correspondence, consisting of twenty-five be appointed, that they be requested to circulate these proceedings throughout the state of Pennsylvania, and be further authorised to make such publications in support of the opinions of this meeting as they may deem proper.

The following gentlemen were appointed, viz:
COMMITTEE OF CORRESPONDENCE.

Jared Ingersol
William Rawle
Horace Binney
Robert Ralston
Thomas Leiper
Robert Walsh, jr.
Caleb North
Dr. George Logan
Gen. John Steel
Charles Chauncey
Peter S. Duponceau
William Sansom
Manuel Eyre

Joseph P. Norris
Robert Vaux
Moses Levy
Samuel Breck
James C. Fisher
James N. Barker
Benj. R. Morgan
John Hallowell
John W. Thomson
George Latimer
John Connelly
Timothy Paxton

A memorial was read, and unanimously adopted.

Resolved, That the committee of correspondence, be authorised to appoint committees to offer the memorial for signature to the citizens in their respective wards and districts.

Resolved, That the ward and district committees, supply any vacancies, which may occur in their several circuits, and that they be requested to deliver the memorials when signed, to the committee of correspondence, to be transmitted to congress.

Resolved, That the thanks of the meeting be given to the chairman for his dignified conduct in the chair.

Resolved, That the thanks of the meeting be presented to *Horace Binney, esq.* for his very eloquent and conclusive argument before the meeting.

Ordered, that the proceedings be published.

[The committee of correspondence have since prepared and published a very able memorial to congress against the admission of slavery in the Missouri, and have appointed committees in every ward of the city and the townships adjacent, to procure signatures thereto. We shall insert the memorial as soon as we have room, as consistent with our needful attention to other subjects.

MEETING AT BOSTON.

Pursuant to public notice, a large and very respectable meeting of citizens of Boston and vicinity was held at the state house on the 3d instant. The hon. *Wm. Estlin* is called the meeting to order, when *James Prince, esq.* marshal of the district, was chosen chairman, and *William Tudor, esq.* secretary. The chairman then stated the object of the meeting, and

called upon the gentlemen to express their opinions—when *James T. Austin*, esq. rose, and in a very eloquent speech, discussed the constitutional right of congress, and the expediency, on the grounds of humanity, morality and policy, as well for the territory itself as for the United States, and concluded by moving that a committee should be appointed to decide what measures should be adopted to express the opinion of the meeting. The chairman was requested to appoint this committee—which was composed of twenty gentlemen, viz:

Hon. W. Eustis, <i>Roxbury</i> ,	Hon. Ben. Pickman, <i>Salem</i> ,
John Phillips,	L. M. Parker, <i>Chilmark</i> ,
T. Bigelow, <i>Medford</i> ,	Wm. Ward, <i>Medford</i> ,
Wm. Gray,	W. Sullivan,
Henry Dearborn,	George Blake,
Josiah Quincy,	Dvd. Cummings, jr. <i>Salem</i> ,
Daniel Webster,	James Savage,
Wm. Prescott,	John Gallison,
Thos. H. Perkins,	James T. Austin,
S. White, jun. esq. <i>Salem</i> ,	Henry Orne, esqrs.

The committee retired, and on their re-entering, the chairman, hon. W. Eustis, laid the following report on the table:

The extirpation of slavery has never ceased to be regarded as a measure deeply concerning the honor and safety of the United States. The existence of this practice is to be ascribed to the policy of the government to which their ancestors were subject, and not to their own choice. But to omit any precaution that might afford a hope of relieving them, however gradually, both from the burthen and the reproach, would have justly exposed them to the charge of nourishing the evil which they did not create. The constitution, therefore, contained a provision shewing, evidently, the design that, at a future period, the increase of slaves by importation should be prohibited. Subsequent laws have carried this provision into effect. In whatever tends to diminish the evil of slavery, or to check its growth, all parts of the confederacy are alike interested. In the states where it chiefly exists, to devise some secure and certain plan of deliverance from its effects, has been the earnest wish of enlightened and reflecting men. The same feelings and views induced congress, when new territories were received as part of our empire, to impose on them a restriction intended to preserve them from that calamity which afflicted the older states. Of this restriction they have enjoyed the benefit, and they now exult in the moral and political advantages derived from a free population. And when we consider the unanimity with which congress adopted the ordinance of 1787, that first constitutional prohibition of slavery in modern times, every state south of the Potomac being present and voting unanimously in its favor, we are encouraged to believe, that a policy so wise and humane will not now be departed from. But it seems to us, that nothing could be more opposite to this policy than the opening of an almost boundless country to the unlimited importation of slaves from other states. The newly acquired territory would thus be burthened with all the mischiefs which are too well known to be the sure results of slavery; an evil which has long been deplored, would be incalculably augmented; the whole confederacy would be weakened and our free institutions disgraced by the voluntary extension of a practice repugnant to all the principles of free government, and the continuance of which, in any part of our country, necessity alone has justified.

To those who are making efforts to prevent the extension of slavery, it is a source of equal pride and pleasure to know, that they are countenanced

and supported by characters most venerable in those states in which it is not yet abolished; and if to these are added the fervent wishes of their fellow citizens in the other states, the appeal, we trust, will not be disregarded. It is, therefore,

Resolved, As the opinion of this meeting, that the congress of the United States possesses the constitutional power, upon the admission of any new state, created beyond the limits of the original territory of the United States, to make the prohibition of the further extension of slavery, or involuntary servitude, in such new state, a condition of its admission.

Resolved, That, in the opinion of this meeting, it is just and expedient, that this power should be exercised by congress upon the admission of all new states created beyond the original limits of the U. States.

This report accepted,

JAMES PRINCE, Chairman.

After the report had been read, *Alden Bradford* esq. rose and expressed his doubts as to the constitutional rights of congress to prohibit slavery, although he had as great an abhorrence of slavery as any other man. He was replied to by *George Blake*, esq. and the hon. *Daniel Webster*, who demonstrated, very clearly, the constitutional right of congress to enact the prohibition, and the strong expediency for exercising the right.

A committee of five was chosen to address copies of the above resolutions to the delegates of this state in congress on the subject, to be signed by the citizens of this state. This committee consists of the following gentlemen:

Daniel Webster,	James T. Austin,
George Blake,	John Gallison, esqrs.
Josiah Quincy,	

Meetings, with similar objects, have been held at many places; but these already inserted may serve as specimens of the others. There is apparently an almost universal opposition to the introduction of slavery into the new states to be formed west of the Mississippi, by the people resident in the states east of Maryland; and many in this last named state, as well as in the southern states, are as decidedly opposed to it.

Insolvent Debtors.

We are sorry to learn by the following, that the people of other countries are swindled just as handsomely as we are in the United States.

We took occasion the other day, to shew that insolvent debtors in England did not pay one farthing in the pound upon debts amounting to fifteen millions.—On looking over a file of late Irish papers, we find that matters are quite as bad in Ireland as in England, or as they well can be any where. At a meeting of the traders of Dublin to consider the subject, Mr. Nugent said:

"It is notorious that nineteen out of every twenty of the persons of late years discharged under the insolvent laws, went forth in full possession of their property! He had himself the misfortune to have been served with many insolvent notices, but he never attended to one of them, nor had he ever been called upon to receive a dividend of assets. It was a fact well known, that insolvents regularly bespoke from the keepers of prisons, apartments for their comfortable accommodation.—Some remedy ought to be devised to prevent the shameful secretion of property by fraudulent prac-

tices, property that ought to be devoted to pay honest debts."

Mr. Gibson said: "The frauds that have been practised rendered it impossible for any man, without great capital, to bear up against the common occurrences of trade—under existing insolvent laws upwards of *five millions of pounds* of just debts had been cancelled (in Dublin) without a *shilling* having been offered as a dividend—Although in humble trade himself, he had lost several thousands pounds by persons who underwent short imprisonments, at the expiration of which he was surprised to see them sporting splendid equipages!"

The meeting closed by agreeing to a petition to parliament, stating that a *farthing* in the *pound* had not been received by creditors from insolvents—that frauds are constant and enormous, &c. and finally praying that in all *opposed* cases, questions should be decided by a jury, and in every case of concealment or fraud, on conviction by the jury, the party guilty should be punished by imprisonment and hard labor.

Anon.

Miscellaneous Articles.

LAW CASE.—*1 Philadelphia, Nov. 1*—On Saturday last the trial of capt. Wiltberger, on a charge of causing the death of a seamen during a voyage to the East-Indies, closed. The trial lasted several days, during which great interest was excited. He was ably defended by counsel, who argued that the court had no jurisdiction over the case. The jury, after retiring a few hours, brought in their verdict manslaughter, provided the court had jurisdiction, which would cause him to be imprisoned not less than 12 years nor more than 20; but, we understand, he has given large security for his person in case the next argument at Washington should determine that this court has jurisdiction.

Splendid article.—The New England glass manufacturing company have presented an elegant *urn* to the president of the United States. It was exhibited at the Brighton shew of manufactures, and to the citizens of New-York, Philadelphia, Baltimore, &c. It is valued at 500 dollars. Strange, that a few shovels of sand and a little lead, should be converted into a thing so costly and so beautiful!

The following description of this piece of domestic manufacture, is from a Boston paper. "It is broader and twenty pounds heavier than either the celebrated London or Bristol bowl, which has been so much admired in England, and is far richer and deeper in the cutting, and more beautiful in form, and symmetrical in proportion. It is an Urn, and consists of three pieces, the base, the bowl and the cover, weighing 45 pounds,* intended for the central ornament of a table. The cutting on the foot is in arched scollops, flutings, and deep splits with prismatic rings and splits beneath—the bowl round the bottom, in the language of the manufactory, has raised diamonds and deep sunk rings; and on the body there are still deeper strawberry diamonds, rings, and arched scollops; the cover has a cheverel cut from the solid glass, edge arched scollops, prismatic rings with splits beneath; rows of strawberry diamonds, and head; ranged and raised diamonds.

The model of the bowl is considered to exceed in elegance and proportional thickness any article of glass kind made in Europe; those who are acquainted with the difficulty and skill required to bring to perfection so large a specimen of glass-

ware, can judge of its excellence; the cutting must strike the eye agreeably from its perfect accuracy, and it will bear the most critical examination."

CONSULS AND VICE CONSULS

Recognized by the president of the United States.
P. G. Lachlectuer, consul of his majesty the king of the Netherlands, for the port of Philadelphia and places thereto belonging.

C. S. König, consul of his majesty the king of the Netherlands, for the port of Baltimore and places thereto belonging.

J. Holmes, consul for his majesty the king of the Netherlands, for the port of Charleston and places thereto belonging.

T. C. Zimmerman, consul of his majesty the king of the Netherlands, for the port of New York and places thereto belonging.

F. Wright, consul of his majesty the king of the Netherlands, for the port of Savannah and places thereto belonging.

Moses Myers, consul of his majesty the king of the Netherlands, for the port of Norfolk and places thereto belonging.

T. F. Mansony, consul for his majesty the king of the Netherlands, for the port of Boston and places thereto belonging.

John W. Smith, vice-consul from the Free Hanseatic city of Hamburg for the city and state of New York.

Frederic Charles Graf, vice-consul from the Free Hanseatic city of Hamburg, for the city of Baltimore and state of Maryland.

Anthony Charles Canzenove, vice consul from the Free and Hanseatic city of Hamburg for the city of Alexandria and District of Columbia.

Jacob Wulf, vice-consul from the Free Hanseatic city of Hamburg, for the city of Charleston and state of South Carolina.

CURIOSUS CIRCUMSTANCE.

It is mentioned in a Nassau paper of the 29th September, that a wrecking vessel had arrived that day from the coast of Florida, with a quantity of indians on board, whose appearance in Nassau had excited considerable curiosity as to their errand and intentions. They reported themselves as having been robbed by our frontier citizens, and driven from their homes. The following particulars are from the Bahama Advertiser of the 2d October.

Savannah Georgian.

Nassau, Oct. 2.—The Indians who arrived here on Wednesday last, from Florida, are come to solicit some supplies; the chief has with him a proclamation issued by admiral Cochrane and general Keane, at the time of proceeding against New Orleans. We believe an application has been made to the commander in chief, for assistance; but they had no encouragement to expect a compliance with their demands, the amity subsisting between our government and the United States precluding any measure tending to increase or promote a hostile disposition between these people and the subjects of the States. They are desirous of getting to Jamaica, but their visit there can be to as little effect as it is here. They represent themselves as driven from their homes and hunted as wild deer; that there about 2000 of them, and that their greatest enemies are the Cowetas, a nation like themselves, who having made terms with the Americans, are set on by them to harass and annihilate their tribe. The number arrived are twenty-eight, and being desitute of the means of support, are furnished on the score of humanity, with rations, and to lodge in one of the barracks.

Died, recently at Boston, gen. Winslow, aged 64.

*It weighed sixty-four pounds before the cutting.

a soldier of the revolution, and commander of a company of artillery at the capture of Burgoyne.

Remarkable occurrence. On the night of the 13th October, a piece of land of upwards of two acres, on the western bank of Otter Creek, in Weybridge, Vermont, instantaneously caved away and sunk about twenty feet from its former level. The ground, except a few feet of the surface, was composed, to a depth not ascertained, of blue clay, the upper strata of which were broken and turned up in a manner similar to cakes of ice, when stopped in an overflowed stream. There were on the ground, a dwelling house and potter's shop, which were overturned and dashed to pieces, and the furniture entirely destroyed. The frightened inhabitants, luckily warned of their danger by the cracking of the house for a few minutes before the convulsion, had just made their escape. The walls and contents of the cellar sunk between the fragments of clay, and the garden, orchard, &c. with trees buried to their tops, exhibit a melancholy scene of ruin. The bed of the river, which was clay, and more than twenty feet deep in that place, was raised by the concussion, so as to stop the water for seven or eight hours, when it cut a new channel.

The novelty of the event has attracted thousands of spectators to view the ruins.

INTERESTING GEOGRAPHICAL NOTICE.

Baron Humbolt, in his "*Essai politique sur le Royaume de la Nouvelle Espagne*," has described nine points of communication between the Atlantic and Pacific Oceans. It has not been yet generally known that a communication by water has actually existed. Of these the 7th is peculiarly interesting:

"In the interior of the province of Choto, the small Ravin de la Raspadura unites the neighboring sources of the Rio de Noanams, called, also, Rio San Juan, and the little river Quito. This river, united with the Rio Andageda and the Rio Zatará, forms the Rio d'Atrato, which flows into the sea of the Antilles, (Caribbean Sea), and the Rio San Juan falls into the South Sea. An enterprising monk, (the curate of the village of Novitt,) with the aid of his flock (*ses paroissiens*), dug a small canal in the Ravin de la Raspadura. By this canal, which is navigable during the period of abundant rains, boats, laden with Cacao, have passed from one sea to the other. Here then is a communication, which has existed since 1788, and of which the Europeans know nothing. This canal of Raspadura unites on the coasts of the two oceans, two points which are seventy-five leagues apart."

Essai Politique, liv. 1, ch. 2

This canal, effected by the enterprising monk, is nearly in the latitude of Cape Corientes, or about six degrees forty-five minutes N. and about three degrees E. of the *Capitol*. Z.

Scientific.—Mr. Joseph Hawkins announces in the Poughkeepsie Observer, that he has made the important discovery of a fixed principle of ascertaining longitude with as much certainty as latitude. He observes "It would be out of the power of man to reduce this principle to practical use, without the agency of some of the heavenly bodies. To effect this object I draw a direct line from the polar star across the centre of our revolving globe—that star, it is well known, is a fixture to us. I form an angle with the sun across this line, then take its altitude, so as to be certain from an exact meridian.

At nine, ante meridian, I compare it with my polar line, which we fix on any given latitude, as a dawn for our departure, making either easting or westing from this line, by taking our observation

at the sun's meridian, the succeeding day; if the weather will admit of it. Whatever variations may be found from the polar line, from getting the sun at meridian, either earlier or later, from the calculation of this observation it will give the longitude to a certainty. This has been submitted to old and experienced navigators, who agree with me in opinion, that the longitude upon this principle can be as easily obtained as the latitude, and with as much correctness."

Amer. Journal.

Effects of terror.—from the *Simbury Times*.—On the evening of the 13th ult. the wife and six children of Jacob Zartman, of Upper Mahony, and his niece about 20 years of age, of the name of Neighart, were burnt to death in the flames of his house! This destruction of life and property was attended with the strangest circumstances of which we have ever heard any example. The family were nearly all awake; Mr Zartman himself lay asleep in the kitchen with one of the children. A girl topped a light, and using no snuffers, threw the top among some tow with which they were working in the adjoining room; the tow blazed up—instead of running out to the kitchen or through the windows, they ran up stairs and staid there until the flames surrounded them. Even there they might have escaped by the windows, or by merely running down the kitchen stairs, but so far from attempting this, two of them hung fast to a girl, to prevent her escape, so that it was with extreme difficulty she disengaged herself, jumped out of a window and saved her life. Zartman stood at a cherry tree, immovable, looking on, and when his neighbor attempted to extinguish the first spark which caught his large barn, full of grain, Zartman, like a maniac, seized and held him fast in his arms, until the flames had there also become unconquerable. The bones were all found together in a corner, and some of the internal part including a heart, unconsumed.

From the *Niagara Journal*. The Indians of the Six Nations have lately held two councils upon the proposals made to government, to establish schools and other improvements among them, one at Oneida, and the other at their village near this place.—Their debates were warm and for a time violent.—It is well known that the pagan part of these nations which compose a large majority of the whole, have always strenuously opposed any advance towards civilization. But they have at length yielded to the arguments of the christian party, and have consented to accept the proposals of government, and to establish schools in all their settlements. The adoption of christianity has also been a subject of discussion in these councils. And although they have not unanimously agreed to receive missionaries among them, yet they have indicated a much more favorable disposition upon this subject than formerly, and the sentiments of many of their principal leaders seem to be entirely changed. This revolution in the views of the Indians will appear surprising to those who have known their inveterate enmity towards the christian religion. We are indebted for it to the united exertions of the agents Messrs. Parrish and Jones and Mr. E. Williams, the episcopal missionary at Oneida, assisted by the Oneida chiefs. We trust it will be productive of much good, and the news of it grateful to every friend of humanity. There is now no doubt but that the Indians will soon receive christian instructors in all their settlements, and by the joint influence of learning, arts, industry and religion, we may confidently hope to see their condition ameliorated, their minds enlightened, and their morals improved.

Relations with Spain.

DOCUMENTS,

TRANSMITTED TO BOTH HOUSES OF CONGRESS, WITH THE MESSAGE OF THE PRESIDENT, OF 7th DECEMBER, 1819.

No. 1.

1. Extract of a letter from Mr. Erving, minister plenipotentiary from the United States, in Spain, to Mr. Adams; dated, Madrid, 10th February, 1818.
2. From the same to Mr. Adams, secretary of state; dated, Madrid, 26th February, 1818.
3. Paper A. in Spanish.
4. do. A. translation.
5. Paper B. in Spanish.
6. do. B. translation.
7. From Mr. Erving to Mr. Adams, dated, Madrid, April 5, 1818.
8. In Spanish.
9. Translation.
10. From Mr. Erving to Mr. Adams; dated, Madrid, 26th April, 1818.
11. From the same to the same; dated, Madrid, May 14, 1818.
12. From the same to the same; dated, Madrid, 12th June, 1818.
13. From the same to the same; dated, Madrid, 22d July, 1818.
14. Copy, translation from the French, Mr. Erving to Mr. Pizarro, private; dated, Madrid, July 18, 1818.
15. Reply of Mr. Pizarro; copy, translated from the French.
16. From Mr. Erving to Mr. Adams; dated, Madrid, September 20, 1818.
17. In Spanish.
18. Translation.
19. Extract from the propositions of Don Luis de Onís, to the secretary of state, made 24th October, 1818—Translation.
20. Extract of a letter from the secretary of state, to Don Luis de Onís; dated department of state, Washington, 31st October, 1818.
21. Extract of a letter from Don Luis de Onís, to the secretary of state; dated, Washington, 16th November, 1818:—Translation.

Extract of a letter from Mr. Erving, minister plenipotentiary from the United States in Spain, to Mr. Adams, dated Madrid, 10th February, 1818.

"The king has lately made large grants of land in East Florida, to several of his favorites, and I am credibly informed that, within these few days, he has, by a sweeping grant, given all the remainder to the duke of Alagon, captain of his guards, and the count of Punon Rostro, one of his chamberlains. This is, perhaps, his mode of preparing for a cheap cession of the territory to the United States."

From the same to Mr. Adams, secretary of state, dated Madrid, 26th February 1818.

EXTRACT.

"The king has lately made large grants of land in the Floridas to several of his favorite servants. The enclosed papers, A and B, have been furnished to me as extracts from the deeds to the principal grantees—the duke of Alagon, captain of the body guards, and the count of Punon Rostro, one of the chamberlains. Mr. Vargas, treasurer of the household, has another grant. In fine, I am led to believe that his majesty has given away the whole of the lands in that quarter, which had not been previously granted."

PAPER A.—[TRANSLATION]

To the duke of Alagon.

All the uncultivated land not ceded in East Florida, which lies between the banks of the river Saint Luisa and that of Saint John, as far as the mouths by which they empty themselves into the sea, and the coast of the Gulf of Florida, and the adjacent islands, with the mouth of the river Hijuelos, in 26th degree of latitude, following the left bank up to its source, drawing a line from lake Macao, and then descending along the road from the river St. John to the lake Valdes, crossing another line from the extreme north of said lake to the source of the river Amurama, following its right bank as far as its mouth, in the 28th and 25th degrees of latitude, and running along the sea coast, with all the adjacent islands, up to the mouth of the river Hijuelos.

PAPER B.—[TRANSLATION.]

To the count of Punon Rostro.

All the uncultivated land not ceded in Florida, comprehended between the river Perdido to the west of the Gulf of Mexico, and the rivers Amaruja and St John, from Popa, until they empty themselves into the sea on the eastern side; by the north, the line of demarcation with the United States, and on the south by the Gulf of Mexico, including the desert islands on the coast.

From Mr. Erving to Mr. Adams, dated Madrid, 5th April, 1818.

EXTRACT.

"In my despatch No. 60, [of February 26] I mentioned the grants of lands in Florida lately made by the king of Spain to several of his courtiers, and enclosed extracts from those in favor of the duke of Alagon and the count of Punon Rostro. I have just now obtained a copy of that in favor of Don Pedro de Vargas, treasurer of the household, and it is herewith transmitted. I hope soon to be able to obtain full copies of the grants to Alagon and Punon Rostro."

[TRANSLATION.]

The king:

My governor and captain general of the island of Cuba and its district, under date of the 25th of January last, Don Pedro de Vargas, manifested to me as follows. Sir: Don Pedro de Vargas, knight of the royal military order of Alcantara, treasurer general of the royal house and patrimony of your majesty; with the most profound respect, at your royal feet, exposes—that there is a quantity of vacant and unpeopled land in the territory of the Floridas, and desiring that if your majesty shall deign to reward his passable service, and the proofs which he has given of his loyalty, it may be without the least burthen on the public treasury, or in prejudice of any third person, as may be done at present by some lands of that country, he beseeches your majesty that, by an effect of your sovereign goodness, you would deign to grant to him the property of the land which lies comprised within the following limits: that is to say; from the mouth of the river "Perdido," and its bay in the Gulf of Mexico, following the sea coast, and ascending by the [rivers] of "Buen Socorro" and of "Mobile," continuing along the "Mobile" till it touches the northern line of the United States, and descending by that in a right line to the source of the river "Perdido," and following the river "Mobile" in its lower part, and the bay of that name, returns by the sea coast towards the west; comprehending all the creeks, entries, and islands, adjacent, which actually belong to Spain, till it reaches the west line of the United

States, then, returning by their northern line, comprehending all the waste lands which belong, or may belong, to Spain, and are in dispute or reclamation with the United States, according to the tenor of the treaties, and, also, all the waste land not ceded to any other individual, which is between the river "Hípuclos," in East Florida, and the river "San Lucia," drawing a line from the source of one river to the source of the other, and following, by the coast of the Gulph of Mexico, from the mouth of the "Hípuclos" to the point of "Fancha," and doubling this, by the coast of the Gulph of Florida, to the mouth of the river "Santa Lucia," with the islands, &c. adjacent.

Considering the contents of this exposition, and attending to the merit of the individual, and his accredited zeal for my royal service, as also to the advantages to result to the state from peopling the said countries, I have thought proper to accede to the favor which he solicits, in as far as it be not opposed to the laws of these my dominions, and communicated it to my council of Indies, for its fulfillment, in a royal order of 2d of February last. Consequently, I command and charge you, by this, my royal "cedula," (scroll) that, conforming to the laws which regulate in these affairs, and without prejudice to third persons, that you efficaciously aid the execution of the said grant, or favor, taking all the measures which may conduce to its due effect, as also the augmentation of the population, agriculture, and commerce of the aforesaid possessions, giving account, from time to time, of the progress made; for this is my will, and that due notice shall be taken of this "cedula," in the accountant-general's department of the Indies. Dated in palace, 10 March, 1818. I, the king. It is rubricated by order of the king, our lord. Estevan Varea. It is rubricated—fees 240 reales of plate. [Here follows four signatures.] Addressed,

To the governor and captain general of the island of Cuba, and its district, that he may do what is suitable, to the end that the favor granted to Don Pedro de Vargas, of various lands, situated in the Floridas, and other things therein mentioned, may have effect. Corrida. [Here follows a signature.] Taken notice of this in the accountant-general's of the Indies' department. Madrid, 13th March, 1818. Josef de Tejada. It is rubricated—fees, gratis [Here is another signature.]

From Mr. Erving to Mr. Adams, dated Madrid, 26th April, 1818.

EXTRACT.

"I perceive that Mr. Pizarro would be very glad to terminate it [the negotiation] here. In the mean time, I shall continue to work with him, to the end that his communications to Mr. Onís may be made as favorable as possible to a prompt adjustment of it at Washington. In this view, I asked him yesterday what had been said respecting Florida. He answered vaguely; but I perceived that there was some question of passing it to the United States, in compensation for the claims. I therefore begged him to prepare, in his instructions to Mr. Onís, for a difficulty which must certainly arise, if any "transaction" of that kind should be proposed; that the claims in question would probably be liquidated by the United States, in such form, by commission or otherwise, as might be most convenient to themselves; but that, finally, they must be paid out of the sale of the lands. Now, the king had lately given all those lands away, (as I had duly informed my government;) to complete the "transaction," it would, therefore, be absolutely necessary that the whole

of those grants should be cancelled. Mr. Pizarro here held me a long discourse, about sovereignty, territorial property, &c. &c. I told him that we had no difference of opinion about those distinctions, and the other matter connected with them, but that his error was in supposing that we meant to pay for the sovereignty only. We do not estimate that so highly as he imagined; I enlarged very much upon whatever relates to these points, and brought him to consent that these grants *might* be cancelled, and indemnity given to the grantees in New Spain, or elsewhere: I say "brought him to consent"—I mean that he said enough to convince me that there will be no difficulty on this head. I am not so certain that I have induced him to send, by this courier, such instructions on it to Mr. Onís, as may render another reference to his government unnecessary; but I propose to see him again tomorrow, and to re-urge the matter."

EXTRACT.

From the same to the same, dated Madrid, May, 14th, 1818.

"In my last private letter (which was dated April 26,) I related to you what passed between Mr. Pizarro and myself, upon the subject of the grants of lands in Florida, lately made by the king, and I mentioned, that I should see him the day following, and endeavor to press my opinion on that point, in such way, as, if possible, to obtain that he might in advance instruct Mr. Onís in conformity to it. I saw him on the 27th, as I proposed, before the departure of his courier; whether I produced the desired effect, or not, I cannot positively say, but, immediately after, he wrote to the council of the Indies, in consequence of which, the council sent orders to the duke of Alagon, and the count de Punon Rostro, directing them not to make sales of the lands granted to them: this fact, which I had received through a private channel, I ascertained yesterday in conversation with Mr. Pizarro. I cannot find that the council has written to the other grantees, Vargas, but Mr. Pizarro said, that it should have done so; be that as it may, all sales made by the grantees are, ab initio, void, by the laws of Indies; there are obligations, also, of a very onerous kind, imposed by those laws, on all grantees, calculated in fine to produce the objects which such grants have in view, viz. the population and cultivation of the territory. Obligations, which grantees of large tracts (under a prohibition to make sale) cannot possibly fulfil; less of all, such grantees as these, who, besides not having a cent, are overwhelmed with debt."

EXTRACT.

From the same to the same, dated Madrid, 12th June, 1818.

"He, Mr. Pizarro, then entered into the principal matters in question, and, firstly, spoke of the limits on the side of Florida. He concluded this subject by saying, that, though the king, with a desire to accommodate himself to the views of the United States, had concluded to make the cession, and to make it as valuable as possible to the United States, as I had seen in the promptitude with which he had acted on my suggestion, and given orders to the council of Indies, relative to the late grants, (as particularly communicated to you in my private letter of May 14,) yet his majesty was fully aware, that the value of the public lands in the territory to be ceded would be infinitely beyond what the United States could demand under the head of indemnities; hence, it was reasonable to expect, that the difference should be made up to him by concessions on the other side."

From the same to the same, dated Madrid, 22d July, 1818.

EXTRACT.

"The convention had scarcely been ratified, when I was alarmed by information which I received from a good source, that the king had rescinded the prohibition placed on the late grantees of land in Florida, as communicated to you by my private letter of May 14. On this occasion I wrote a confidential note to Mr. Pizarro, pointing out the evil to result from such a procedure. He replied to me in a way to tranquilize me, and to confirm my opinion of his good faith. Copies of that correspondence are herewith enclosed."

[COPY.—TRANSLATED FROM THE FRENCH.]

Mr. Erving to Mr. Pizarro—Private.

Madrid, July 18, 1818.

Your excellency will recollect, that Messrs. Alagon, Punon Rostro, and Vargas, were placed by an office from the department of Indies, under certain prohibitions, relative to the lands given to them by the king; those prohibitions were considered by you and by me, as annulling the grants, on the importance of this measure we are already agreed—now I am informed, that Mr. Vargas has received another office from the same department, (Indies,) by which office, the difficulty with regard to him is removed, that is, he is actually free to sell the lands in question, or to profit of them, (always in conformity to the laws,) as may best suit him. I know not whether Messrs. Alagon and Punon Rostro have received similar offices: it is to be presumed. This news alarms me, because, I foresee that this transaction will throw new difficulties in the way of the negotiation at Washington. It is in vain to expect that we should arrive at a state of harmony, without a transaction which shall embrace all the points in discussion: the cession of Florida must make, necessarily an article in this transaction, and it is quite certain that the United States, in such case, cannot receive Florida as indemnity for its reclamations, if all the cessions to individuals, since the date of the convention, (1802,) are not annulled; according to a statement which I have just received, through an indirect channel, from Philadelphia, these reclamations may amount to the enormous sum of twenty-five millions of piastres.

The office written to Mr. Vargas, is, I am persuaded, unknown to you, and cannot have resulted from our late accord, relative to the convention, but your excellency will instantly perceive, that it will take that character or appearance, and do infinite mischief. I have already informed my government of what has passed between your excellency and me, relative to the affair of Messrs. Alagon, and co. Ought I at present to think that every thing is changed since the ratification? I cannot too much lament the results! I yet hope that I may have been badly informed, relative to the fact in question, but I have my information from a person who is interested with Vargas, one to whom he had ceded a portion of his interest in the land before he received the first office: be it as it may, knowing your excellency is in good faith, and that the affair is worthy of your attention, I have thought it my duty to expose it to you. Yours, with much respect and esteem.

[Signed,] GEORGE W. ERVING.

[COPY.—TRANSLATION FROM THE FRENCH.]

Reply of Mr. Pizarro

SIR—I have just received your esteemed letter, which you addressed to me under yesterday's date, communicating to me your apprehensions respect-

ing the alienation of the lands in Florida, granted to several individuals. I repeat to you all that I have said on this subject, consequently you may be tranquil, and I flatter myself that nothing will happen which can injure the negotiations with the government of the United States, which ought to be persuaded, long since, of the sincerity which directs the march and policy of the Spanish government, and of its earnest desire of a happy termination of all the points in discussion, by means of a friendly arrangement.

I renew to you, &c.

[Signed]

JOSE PIZARRO.

Sacedon, 19th July, 1818.

From Mr. Erving to Mr. Adams, dated

Madrid, September 20th, 1818.

[EXTRACT.]

"The paper herewith enclosed is copy of the king of Spain's grant of lands to the count of Punon Rostro."

[TRANSLATION.]

The King:

My governor of the Floridas, brigadier the count de Punon Rostro, submitted to me, on the third of November last, what follows:

"SIR: The brigadier, count de Punon Rostro, grandee of Spain of the first class, and your gentleman of the bed chamber in actual attendance, &c. &c. with the most profound respect, submits to your majesty: That, prompted by the desire of promoting, by all possible means, the improvement of the extensive waste and unsettled lands possessed by Y. M. in the Americas, which, by their fertility, offer the greatest advantages, not only to your memorialist, but to the state, provided due effect, as is hoped, be given to the noble project formed by your majesty's memorialist, of converting a small portion of those deserts into the abode of peaceable christian inhabitants, whose industry will increase the population of your kingdoms, promote agriculture and commerce, and thereby add immensely to your royal revenues. This enterprize should be conducted by a person, [who,] with a knowledge of the country, would combine the intelligence necessary for comparing the progress made by other nations in similar situations, and particularly by the United States, which, within a very recent period, have advanced their power to an extraordinary height, and especially in the instance of the Mobile country, adjoining Florida, which, in the last six years, has received such an influx of emigrants, as to be converted from a desert waste, into a rich commercial province, highly improved and peopled with more than three hundred thousand souls. A similar change would be effected in Florida within eighteen or twenty years, by the adoption of judicious arrangements, and by those exertions which your majesty's memorialist proposes to employ for the promotion of his personal interest, and consequently that of the state. Relying on the merits of the case, and the lively interest felt by your majesty in the national prosperity, and in the services and sacrifices of your majesty's memorialist, he humbly requests your majesty that, taking them into consideration, you would be graciously pleased to grant and cede to him, in full right and property, and in the mode and manner required by law, all the waste lands not heretofore ceded in Florida, lying between the river Perdido, westward of the Gulf of Mexico, and the rivers Annasa, and St. Johns, from Popa to the point where it empties into the ocean, for the eastern limit; and for the northern, the boundary line

of the United States; and, to the south, by the Gulf of Mexico, including the desert islands on the coast. He therefore humbly prays, in consideration of the premises, and the unquestionable advantages to be derived by the nation, your majesty will be pleased to grant this his petition; and, thereupon, direct the necessary orders to be given to the local authorities to afford him all due aid and protection, as well in designating the territory referred to, as in giving full effect to the whole enterprize. All which he hopes from the munificence of your majesty."

Having taken the premises into consideration, and bearing in mind the distinguished merits of the memorialist and his signal zeal for my royal service, as well as the benefits to be derived by the state from an increase of population in the countries, the cession whereof he has solicited, I have judged fit to grant to him the same, in so far as is conformable to the laws of these my kingdoms, and to make it known to my council of the Indies, for its due execution, by a royal order of the 17th December, in the year aforementioned; whereof, I charge and command you, by this my royal cedula, with due observance of the laws to such cases pertaining, to give full and effectual aid to the execution of the said cession, taking all requisite measures for its accomplishment, without injury to any third party, and to the end, that the said count Púton Rostro may forthwith carry his plans into execution, in conformity with my beneficent desires in favor of the agriculture and commerce of the said territories, which require a population proportioned to the fertility of the soil, and the defence and security of the coasts, he giving regular accounts of his proceedings, for such is my will; and, that due note be taken of the present cedula in the office of the accountant-general of the Indies. Done at the Palace, the 6th of February, 1818. I, THE KING.

By command of the king, our lord,
ESTEVAN VAREA.

To the governor of the Floridas:—

That he may take the necessary measures to give due effect to the grant in favor of the count Púton Rostro, of a tract of country, situate in West Florida, as above specified. CORR'NA.

Duly noted in the office of the accountant-general of North America.—Madrid, March 13, 1818.

JOSEF DE TEJADA.

Extract from the propositions of Don Luis De Onís to the secretary of state, made 24th Oct. 1818.

[TRANSLATION.]

"2. His catholic majesty, to give an eminent proof of his generosity, and of the desire which animates him to strengthen the ties of friendship and of good understanding with the United States, and to put an end to the differences which now exist between the two governments, cedes to them, in full property and sovereignty, the provinces of East and West Florida, with all their towns and forts, such as they were ceded by Great Britain, in 1783, and with the limits which designated them in the treaty of limits and navigation, concluded between Spain and the United States, on the 27th October, 1795: the donations or sales of lands made by the government of his majesty, or by legal authorities, until this time, are, nevertheless, to be recognized as valid."

Extract of a letter from the secretary of state to Don Luis de Onís dated department of state, Washington, 31st October, 1818.

"Neither can the United States recognize as valid, all the grants of land until this time, and at the

same time renounce all their claims, and those of their citizens for damages and injuries sustained by them and for the reparation of which, Spain is answerable to them. It is well known to you, sir, that notice has been given by the minister of the United States in Spain, to your government, that all the grants of land lately alleged to have been made by your government, within those territories, must be cancelled, unless your government should provide some other adequate fund, from which the claims above referred to, of the United States and their citizens, may be satisfied."

"From the answer to Don Jose Pizarro to this notice, we have reason to expect that you will be sensible of that necessity, and that some time must be agreed upon, subsequent to which, no grant of the lands within the territories in question shall be considered as valid."

Extract of a letter from Don Luis de Onís to the secretary of state, dated Washington, 16th Nov. 1818.

[TRANSLATION.]

"My second proposal has been admitted by your government, with this modification, that all grants and sales of lands made by his catholic majesty, or by lawful Spanish authorities, in the Floridas, from the year 1802 to the present, shall be null and void. To this modification, in its absolute sense, I cannot assent, inasmuch as it is offensive to the dignity and imprescriptible rights of the crown of Spain, which, as the legitimate owner of both the Floridas, had a right to dispose of those lands as it pleased. And, further, as the said modification would be productive of incalculable injury to the *bona fide* possessors, who have acquired, settled and improved those tracts of land.

"The extent of what I can agree to is, that the late grants made by his majesty in the Floridas, since the 24th of January last, the date of my first note, announcing his majesty's willingness to cede them to the United States, (the said grants having been made with a view to promote population, cultivation, and industry, and not with that of alienating them,) shall be declared null and void, in consideration of the grantees not having complied with the essential conditions of the cession, as has been the fact."

No. 2.

Don Luis de Onís' letter to the secretary of state; dated 11th January, 1819.—Translation.

The same to the same, dated 16 January, 1819.—Translation.

The secretary of state to Don Luis de Onís, dated 29th January, 1819.

Don Luis de Onís to the secretary of state, dated 1st February, 1819.—Translation.

Project of an article, describing the western boundary, communicated by the secretary of state to Don Luis de Onís, 6th February, 1819.

Project of a treaty, delivered by Don Luis de Onís to the secretary of state, 9th February, 1819. Translation. Sent by Don Luis de Onís.

Counter-project of a treaty, communicated by the secretary of state to Don Luis de Onís, the 13th February, 1819.

Paper, received by the secretary of state, from Mr G. H. Hyde de Neuville, minister of France, dated 16th February, 1819.—Translation.

Full power of the president of the United States, to Mr. Adams, to negotiate a treaty, dated 16th February, 1819.

Full power of the king of Spain, to Don Luis de Onís, given 10th September, 1816.—Translation

(Continued in the first page of No. 16.)

NILES' WEEKLY REGISTER.

NEW SERIES. No. 16—Vol. V.] BALTIMORE, DEC. 18, 1819. [No. 16—Vol. XVII. WHOLE No. 432

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

To dispose of sundry articles that were in type, that we might regain the use of it, and make a severe attack upon the body of documents that accompanied the president's message, an extra half-sheet is issued herewith, as *supplementary to the last number*; and, to arrive at a good *stopping* place in the documents, we were compelled to insert so much of them, as, with the annual treasury report, and a brief journal of the proceedings of congress, to leave us room for nothing else. Several articles on hand are very reluctantly postponed. Another supplement will be published next week.—No foreign news has been received since our last.

(*Relations with Spain—continued from page 248.*)
Treaty of amity, settlement, and limits, between the United States and his catholic majesty, concluded 22d February, 1819.

Resolution of the senate advising the ratification of the treaty, bearing date 24th February, 1819.

Ratification of the treaty by the president, 25th February, 1819.

General instructions of the secretary of state, to Mr. John Forsyth, minister plenipotentiary to Spain, dated 8th March, 1819.

Certificate of the exchange of ratifications, referred to in the preceding instructions.

The secretary of state to Don Luis de Onis, dated 10th March, 1819.

Don Luis de Onis to the secretary of state, dated 10th March 1819.—Translation.

Declaration, referred to in the preceding letter.

The secretary of state to Mr. John Forsyth, dated 10th March, 1819.

The secretary of state to the minister of France, dated 17th March, 1819.

The minister of France to the secretary of state, dated 18th March, 1819.—Translation.

Observations on the eighth article of the treaty, of 22d February, 1819. Submitted to the minister of France, 14th July, 1819.

The secretary of state to Mr. John Forsyth, dated 18th August, 1819.

Mr. J. Forsyth to the marquis of Casa Yrujo, dated 18th May, 1819.

The same to the same, dated 4th June, 1819.

Don Manuel Gonzales Salmon to Mr. Forsyth, dated 19th June, 1819.—Translation.

Mr. J. Forsyth to Don Man. G. Salmon, dated 21st June, 1819.

Don Manuel G. Salmon to Mr. J. Forsyth, dated 10th August, 1819.

Mr. J. Forsyth to Don Manuel G. Salmon, dated 12th August, 1819.

Don Manuel G. Salmon to Mr. J. Forsyth, dated 19th August, 1819.

Mr. John Forsyth to Don Manuel G. Salmon, dated 21st August, 1819.

The same to the duke of San Fernando, dated 2d October, 1819.

The duke of San Fernando to Mr. J. Forsyth, dated 8th October, 1819.

No. 3.

Extract of a letter from Mr. Rush to the secretary of state, dated London, 13th September, 1819.

Extract of a letter, from the same to the same, dated 17th September, 1819.

Vol. XVII.—17.

Don Luis de Onis to the secretary of state.

[TRANSLATION.]

SIR: I have just received a courier extraordinary of my government, and, by the despatches he has brought me, I am authorised by his majesty to give a greater extent to the proposals which I made to you, for adjusting and terminating amicably all the subjects in dispute between the two powers.

As the great difficulty which has hitherto opposed this desirable arrangement, is the exact demarcation of the line which divides, or should divide, the dominions of the crown of Spain from the territory of the United States, westward of the Mississippi, and, as you were pleased to state to me, in your note of the 30th of November last, that the principal motive which induced the president to withdraw his proposals which you had made to me, by his direction, was the want of instructions authorising me to extend the boundary line to the Pacific ocean, I have the honor to inform you, that H. M. although then unacquainted with the proposals made by you to me, in your note of the 31st October, with a view to give an eminent proof of his sincere and generous friendship for this republic, has been pleased to authorise me to settle this point, and others embraced by former proposals. If the president should agree to your entering into an amicable arrangement of them, and also to modify, on his part, the proposals you have made to me, I do not doubt, that, either by correspondence or in conference, we may speedily attain the desired object: the termination of this interesting affair. I flatter myself, that the president, as well as the whole American people, cannot but fail to acknowledge, in this disposition of H. M. (before he had a knowledge of the exorbitant pretensions of your government,) the good faith and generosity of his proceeding, and to admit that a measure, at once so frank and so decided, claims a correspondent feeling on the part of this republic; the maintenance of perfect amity and good correspondence between the two powers being obviously calculated to promote the best interests of both.

In the expectation of being soon favored with the decision of the president, I beg leave to renew to you the assurances of my high respect, and I pray God to preserve you many years.

[Signed]

LUIS DE ONIS.

Washington, January 11, 1819.

Don Luis de Onis to the secretary of state.

[TRANSLATION.]

SIR: In consequence of the wish expressed by you yesterday, in the interview to which you were pleased to invite me, that I would state the proposals for which I am authorised by the fresh instructions I have received by a special messenger from my government, and relying on your assurances, that, notwithstanding the proposals you had made to me, the president would take those into consideration which I might make anew for the purpose of settling amicably all pending differences, I have the honor to confirm to you those which I made in my note of the 16th of November last, and to add thereto, that H. M. will agree that the boundary line between the two states shall extend from the

source of the Missouri, westward, to the Columbia river, and, along the middle thereof, to the Pacific ocean. If this basis should be accepted by the president, as I trust it will, inasmuch as it presents the means of realising his great plan of extending a navigation from the Pacific to the remotest points of the northern states and of the ocean, and of enlarging the dominions of the republic by the acquisition of both the Floridas, I will have no hesitation in agreeing to an arrangement honorable and satisfactory to both nations, upon the point on which we differ, relating to the indemnity claimed for the injuries resulting from the occupation of the territories of the king by the forces of this union.

I conceive that you, as well as the president and the whole American people, cannot but see, in this evidence of the spirit of conciliation by which H. C. majesty is actuated, a certain pledge of his desire to strengthen and cement the ties of friendship with this republic, and I trust that the answer of the president will correspond with the sacrifices made by H. M. as well with a view to the prompt satisfaction of the citizens of the United States, for whatever injuries they may have sustained, as to the complete removal of every cause of future disagreement between the two nations. But if, contrary to my expectation, this should not be the case, I shall feel a sincere regret in seeing this desirable arrangement protracted, until his majesty, on being made acquainted with the extraordinary pretensions of your government, by the despatches of which Don Luis Noeli, the secretary of this legation, was the bearer, may transmit to me such orders as he may deem expedient.

I renew to you the assurances of my distinguished consideration, and I pray God to preserve you many years.

[Signed] LUIS DE ONIS.

Washington, 16th January, 1819.

The secretary of state to don Luis de Onis.

DEPARTMENT OF STATE.

Washington, 29th January, 1819.

SIR: Your letter of the 16th inst. has been submitted to the consideration of the president of the United States, by whose directions I have the honor of informing you, that the proposal to draw the western boundary line, between the United States, and the Spanish territories on this continent, from the source of the Missouri to the Columbia river, cannot be admitted. I have to add, that, for the purpose of an immediate arrangement of affairs with Spain, this government repeats the proposal contained in my letter to you, of the 31st October last,* and if you are not authorised to agree to it, we are willing to adjust the other subjects of difference, leaving that to be settled hereafter. But, if your powers are incompetent to accept either of these offers, the president thinks it useless to pursue the discussion any further; of subjects upon which there can be no hope entertained of concluding an agreement between us.

Be pleased to accept the assurance of my distinguished consideration.

[Signed] JOHN QUINCY ADAMS.

Don Luis de Onis to the secretary of state.

[TRANSLATION.]

SIR: I have received your note of the 29th January, in which you are pleased to state to me, that, having laid before the president my note of the 16th, he has directed you to inform me that my

proposal to fix the boundary between the two states, by a line from the source of the river Missouri to the Columbia, and along the course of the latter to the Pacific, is inadmissible; but that, with a view to an immediate arrangement of affairs with Spain, you repeat to me the proposal contained in your note of the 31st October last, and add, that, if I am not authorised to agree to it, we may adjust the other subjects of difference, leaving that to be settled hereafter.

My powers authorise me to adjust all such differences as his majesty was apprised of at the date of my last despatches, which are of the 4th November. The proposal referred to by you is of the 31st October preceding, and, in all probability, no answer to it can be expected before the middle or end of March. Taking into consideration, however, on the one hand, the earnest desire of his Catholic majesty to terminate these matters before the rising of congress, and thereby to avoid the further delay of a twelve-month in settling the indemnities claimed by citizens of the union, and, on the other, the probable anxiety of your government to carry into execution the establishments contemplated in the Floridas, I am prepared to take upon myself the definitive settlement of the points in controversy, provided the president, animated by correspondent feelings, is willing to modify the proposals made to me, so as to render them consistent and compatible with the interests of both powers.

I have proved to you, in the most satisfactory manner, that neither the Red river of Nachitoches, nor the Columbia, ever formed the boundary of Louisiana; but, as you have intimated to me, that it is useless to pursue the discussion any further, I acquiesce with you therein, and I agree that, keeping out of view the rights which either power may have to the territory in dispute, we should confine ourselves to the settlement of those points which may be for the mutual interest and convenience of both.

Upon this view, therefore, of the subject, and considering the motive for declining to admit my proposal of extending the boundary line from the Missouri to the Columbia, and along that river to the Pacific, appears to be the wish of the president to include within the limits of the union all the branches and rivers emptying into the said river Columbia, I will adapt my proposals on this point so as to fully satisfy the demand of the U. States, without losing sight of the essential object, namely: that the boundary line shall, as far as possible, be natural and clearly defined, and leave no room for dispute to the inhabitants on either side.

Having thus declared to you my readiness to meet the views of the United States, in the essential point of their demand, I have to state to you, that his majesty is unable to agree to the admission of the Red river to its source, as proposed by you. This river rises within a few leagues of Santa Fe, the capital of New Mexico; and, as I flatter myself, the United States have no hostile intentions towards Spain, at the moment we are using all our efforts to strengthen the existing friendship between the two nations, it must be indifferent to them, to accept the Arkansas instead of the Red river as the boundary. This opinion is strengthened by the well known fact, that the intermediate space between those two rivers is so much impregnated with nitre, as scarcely to be susceptible of improvement.

In consideration of these obvious reasons, I propose to you, that drawing the boundary line from the Gulf of Mexico, by the river Sabine, as laid down by you, it shall follow the course of that river

*Communicated to congress, 14th Dec. 1818.

to its source; thence by the 94th degree of longitude, to the Red river of Nachitoches, and along the same to the 95th degree; and, crossing it at that point, to run by a line due north to the Arkansas, and along it to its source; thence, by a line due west, till it strikes the source of the river St. Clemente, or Multnomah, in latitude 41 degrees, and along that river to the Pacific ocean.—The whole agreeably to Melish's map.

In case this basis, which not only approximates your proposals, but fulfils, in every essential point, the wishes you have stated to me, be admitted by the president, his majesty, with a view to give the United States a more convincing proof of his generosity, and his desire to strengthen the bonds of amity with this republic, consents to relinquish the claim of indemnity for the injuries sustained by his treasury, in consequence of the invasion of the Floridas, reserving only to the inhabitants of the same, their right to what may appear to be justly due to them for their losses by that event.

It is understood that the convention of 1802, lately ratified, is annulled, as it relates to the indemnity for injuries and losses claimed by the United States or their citizens, of Spain; inasmuch, as full compensation for the same is to be made to them, from the sales of the lands in the two Floridas, and of the immense possessions westward of the Mississippi, ceded by his majesty in virtue of that treaty; and, that the United States, actuated by the most sincere desire to remove every cause of difference between the two nations in future, will take into consideration the necessity of establishing such regulations as, in their wisdom, they may deem most expedient to prevent the evasion of the laws of the republic, to the injury of the commerce of the subjects of his Catholic majesty.

I renew to you, sir, the assurances of my distinguished consideration, and I pray God to preserve you many years.

Washington, 1st February, 1819.

[Signed]

LUIS DE ONIS.

Project of an article describing the western boundary: communicated to don Luis de Onis, by the secretary of state, 6th February, 1819.

ARTICLE.

It is agreed that the western boundary between the United States and the territories of Spain shall be as follows:—Beginning at the mouth of the river Sabine, on the Gulf of Mexico; following the course of said river to the 32° of latitude, the eastern bank and all the islands in the river, to belong to the U. States, and the western bank to Spain; thence, due north, to the northernmost part of the 33° of north latitude, and until it strikes the Rio Roxo, or Red river; thence, following the course of said river, to the northernmost point of the bend, between longitude 101 and 102, thence, by the shortest line, to the southernmost point of the bend of the river Arkansas, between the same degrees of longitude 101 and 102; thence, following the course of the river Arkansas, to its source, in latitude 41 north; thence following the same parallel of latitude 41, to the South sea. The northern banks and all the islands in the said Red and Arkansas rivers, on the said boundary line, to belong to the U. States, and their southern banks to Spain; the whole being, as laid down in Melish's map of the United States, published at Philadelphia, improved to the 1st of January, 1818. But, if the source of the Arkansas river should fall south or north of latitude 41, then the line from the said source shall run due north or south, as the case may be, till it meets the said

parallel of latitude, and thence as aforesaid to the South sea. And it is further agreed, that no Spanish settlement shall be made on any part of the said Red or Arkansas rivers, nor on any of the waters flowing into the same, nor any east of the chain of Snowy-mountains, between the latitudes 31 and 41, inclusively; and that the navigation of said rivers shall belong exclusively to the United States forever.

Project of a treaty delivered by Don Luis de Onis to the secretary of state, 9th February, 1819.

[Translation, sent by don Luis de Onis.]

His Catholic majesty and the United States of America, desiring to consolidate, on a permanent basis, the friendship and good correspondence which happily prevails between the two parties, have determined to settle and terminate all their differences and pretensions, by a treaty which shall designate with precision the limits of the one and the other, the settlement whereof will be productive of general advantage and reciprocal utility to both nations.

With this intention his Catholic majesty has appointed the most excellent don Luis de Onis, Gonzales Lopes y Vara, lord of the town of Rayaces, perpetual regidor of the corporation of the city of Salamanca, knight grand cross of the royal American order of Isabella the Catholic, decorated with the lys of la Vendee, knight pensioner of the royal and distinguished Spanish order of Charles III. member of the supreme assembly, of the said royal order; of the council of his Catholic majesty, his secretary with exercise of decrees, and his envoy extraordinary and minister plenipotentiary near the United States of America;—and the president of the United States, with the advice and consent of their senate, has appointed Mr. John Quincy Adams, secretary of state of the United States. And the plenipotentiaries, after having exchanged their powers, have agreed upon and concluded the following articles:

I. There shall be a firm and inviolable peace and sincere friendship between his Catholic majesty, his successors and subjects, and the United States and their citizens, without exception of persons or places.

II. His Catholic majesty, desiring to give a distinguished proof of his friendship to the United States, cedes to them in full property and sovereignty, all the territories which belong to him, situated to the eastward of the Mississippi, known by the names of East and West Florida, such as they were ceded to him by Great Britain, in 1783; and with the limits by which they are designated in the treaty of limits and navigation, concluded between Spain and the U. States, on the 27th October, 1795.

III. The adjacent islands dependent on said provinces, places, public squares, public edifices, fortifications, barracks, and other buildings which are not the property of some private individual, archives, and documents which relate directly to the property and sovereignty of said provinces, are included in this article.

IV. That at no time whatever there may be any dispute or mistake in the boundaries which shall separate in future the territories of his Catholic majesty and those of the United States, to the westward of the Mississippi, the two high contracting parties have agreed to fix them in the following manner:—The boundary line between the two countries shall begin on the Gulf of Mexico, at the mouth of the river Sabina in the sea; continuing north, along the middle of that river, to the 32° of latitude; thence, by a line due north, to the 33° of

latitude where it strikes the Rio Roxo of Nachitoches, *Red river*, following the course of the Rio Roxo to the westward of the 100° degree of longitude; and 33½° latitude, where it crosses that river; thence, by a line due north, by the said 100° of longitude from London, according to Melish's map, till it enters the river Arkansas, thence, along the middle of the Arkansas, to the 42d degree of latitude; thence a line shall be drawn to the westward by the same parallel of latitude to the source of the river San Clemente, or Multnomah, following the course of that river to the 43° of latitude; and thence, by a line due west, to the Pacific ocean. All the country belonging to his Catholic majesty included in said line to the eastward, his majesty cedes to the United States, in full property and sovereignty, forever; as also the islands in the rivers Sabina, Red river of Nachitoches, Arkansas, and Multnomah, that may be situated within the limits which are here pointed out; both parties to maintain the navigation of all of them free as respects the parts thereof which constitute their frontiers.

V. To fix this line with more precision, and to place the landmarks which shall designate exactly the limits of both nations, each of the contracting parties shall appoint a commissioner and a surveyor, who shall meet before the termination of one year from the date of the ratification of this treaty, at Nachitoches, on the Red river, and proceed to run and mark the said line, in conformity to what is above agreed upon and stipulated; they shall make out plans and keep journals of their proceedings; and the result agreed upon by them shall be considered as a part of this treaty, and shall have the same force as if it were inserted therein. The two governments will amicably agree respecting the necessary articles to be furnished to these persons, and also as to their respective escorts, should such be deemed necessary.

VI. The inhabitants of the ceded territories shall be secured in the free exercise of their religion without any restriction; and all those who may desire to remove to the Spanish dominions, shall be permitted to sell or export their effects, at any time whatever, without being subject in either case to duties.

VII. The inhabitants of the two provinces aforesaid, and those in all the territories which his Catholic majesty cedes to the United States by this treaty, shall be incorporated in the union of the U. States as soon as possible, agreeably to the principles of the federal constitution, and admitted to the enjoyment of all the privileges, rights, and immunities of the other states.

VIII. The territories of the two Floridas, which, at the time of the delivery which is to be made of them to the United States, should be occupied by the troops or authorities of the republic, shall be delivered to the commissioners which his Catholic majesty, or the captain general of the Havana, may send for that purpose, in order that the said territories may be delivered up in a regular manner to the commissioners or officers appointed by the United States to receive them.

IX. All the grants of lands made by his Catholic majesty, or by his legitimate authorities, in the aforesaid territories of the two Floridas, and others which his majesty cedes to the United States, shall be confirmed and acknowledged as valid, excepting those grants which may have been made after the 24th January of last year, the date that the first proposals were made for the cession of these provinces, which shall be held null, in consideration of

the grantees not having complied with the conditions of the cession.

X. The two contracting parties, animated by the most sincere desire of conciliation, and with a view of eradicating all the dissensions which have existed between them, and to secure that good harmony which they desire perpetually to maintain with each other, reciprocally renounce all claims for damages, or injuries, which they themselves, as well as their respective subjects and citizens, may have suffered until the time of signing this treaty.

The renunciation of the United States will extend to all the injuries mentioned in the convention of the 11th August, 1802.

2. To all claims of prizes made by French privateers and condemned by French consuls within the territory and jurisdiction of Spain.

3. To all claims of indemnities on account of the suspension of the right of deposit at New Orleans.

4. And to all the claims of citizens of the United States upon the government of Spain, in which the interposition of the government of the United States may have been solicited before the date of this treaty, and since the date of the convention of 1802, and which may have been made to the department of state of this republic, or to the minister of the United States in Spain.

The renunciation of his Catholic majesty extends,

1. To all the injuries mentioned in the convention of the 11th August, 1802.

2. To the sums which his Catholic majesty advanced for the return of captain Pike, from the Provincias Internas.

3. To all injuries caused by the expedition of Miranda, fitted out and equipped at New York.

4. To the revenue collected by the United States in the territories of Florida that have been occupied by their troops, and to the indemnities which his Catholic majesty is entitled to, for the injuries caused to his royal crown by those invasions.

Finally, to all claims of subjects of H. C. M. upon the government of the United States, in which the interposition of H. C. majesty's government has been solicited, before the date of this treaty, and since the date of the convention of 1802, or which may have been made to the department of foreign affairs of H. M. or to his minister in the United States.

XI. The convention entered into between the two governments on the 11th August, 1802, the ratifications of which were exchanged the 21st December, 1818, is annulled in that part which relates to the payment of the injuries which the United States and their citizens claim; it being agreed, between the two high contracting parties, that these injuries shall be paid, integrally, by the United States, from the proceeds of the public or crown lands of the two Floridas and other territories, ceded by H. C. M. in this treaty; so that both governments consider all their claims, and those of their subjects and citizens, as cancelled from this date; excepting those claims which the citizens of the United States may have against Spanish individuals, or which the latter may have upon the citizens of this republic.

XII. The treaty of limits and navigation of 1795 remains confirmed in all, and each one, of its articles, excepting the second, 3d, 4th, 21st, and the second clause of the 22d article, which, having been altered by this treaty, are no longer valid.

With respect to the 15th article of the same treaty, of friendship, limits, and navigation, of 1795, in which it is stipulated, that the flag shall cover the

property, the two high contracting parties agree, that this may be so understood with respect to those powers who recognize this principle; but if either of the two contracting parties shall be at war with a third party, and the other neutral, the flag of the neutral shall cover the property of enemies whose governments acknowledge this principle, and not of others.

XIII. In order to avoid frauds, and the great evils which arise from concealing the destination of vessels, by clearing out in general terms for the West Indies, Spanish Maine, Europe, &c. the two high contracting parties have agreed, that, in future, all merchant vessels belonging to their respective subjects or citizens shall be cleared out for a specified port, either at their respective custom-houses, or in those of other powers, from whose ports said vessels may depart in continuation of their primitive voyage; or in case they should undertake a new one. And the merchant vessels of either of the two nations that, in violation of their clearances, should enter other ports without justifying the motives which induced them to it, or should be met with on the high seas by their vessels of war or privateers cleared out in violation of this article, shall be detained, proceeded against, and, upon conviction, forfeited.

XIV. In case there shall be just cause to suspect the character of the vessels, or which should not be cleared out for a specified port, as is stipulated in the preceding article, or that the cargo belongs to enemies of either of the contracting parties, whose governments do not recognize the principle that the flag covers the property, or which shall consist of articles of contraband of war, such vessels may be detained and sent to the nearest and most convenient port to which the ship of war or privateer that may have detained such a vessel belongs, where she shall be adjudged agreeably to the law of nations, and the practice established by other maritime powers. And it is agreed that adjudication shall be had with the least delay possible; and if it shall be proved that the detention or capture was unjust, it shall not only be the duty of the tribunal where the case was tried to release the vessel and cargo, but it shall decide the corresponding indemnity for the damages and injuries that may have been sustained, to be paid by the captors, and, in their defect, by the government by whom they shall be commissioned.

XV. Both contracting parties, wishing to favor their mutual commerce, by affording in their ports every necessary assistance in their respective merchant vessels, have agreed that the sailors who shall desert from their vessels in the ports of the other, shall be arrested and delivered up at the instance of the consul, who shall prove, nevertheless, that the deserters belong to the vessels that claim them, exhibiting the document that is customary in their nation, that is to say, that the Spanish consul in an American port shall exhibit the roll of the vessel; and the American consul in a Spanish port the document known by the name of articles; and if the name of the deserter or deserters who are claimed shall appear in the one or the other, they shall be arrested, held in custody, and delivered to the vessel to which they shall belong.

XVI. His catholic majesty having condescended to make the cessions to the United States which are specified in the present treaty, in compliment to the United States, with the object of cancelling all the claims they have demanded of the royal crown, the United States will certify, in due form, that they have not received any compensation from France

for the injuries they suffered from her privateers, consuls, and tribunals, on the coasts and in the ports of Spain; and they will present an authentic statement of the prizes made, and of their true value, that Spain may claim from France the return of this amount.

XVII. It being mutually advantageous to the commerce of Spain and of the United States to facilitate the communication between both nations for a limited time in the territories ceded by this treaty, until they can agree upon the regulations relating to commerce, which may be best adapted to favor the same, the two high contracting parties agree that Spanish vessels which may arrive loaded solely with the produce or manufactures of Spain, directly from the ports or colonies, shall be admitted into all the ports of the two Floridas that may be lawfully open to the trade of other nations, for the space of twelve years, without paying more duties for their produce or merchandise, nor greater tonnage duty, than what are paid by vessels of the United States.

During said time, no other nation shall be entitled to the same privileges in the ceded territories. The twelve years shall begin three months after exchanging the ratifications of the present treaty—at the expiration of said time, Spanish vessels shall be received in said territories on the same footing as the most favored nations.

XVIII. The present treaty shall not be in force until ratified, in due form, by the contracting parties; and the ratifications shall be exchanged in six months from this time, or sooner, if possible.

In witness whereof, we, the under written plenipotentiaries of his catholic majesty, and of the United States of America, have signed, by virtue of our powers, the present treaty of friendship and limits, and have hereunto affixed our seals respectively.

Done at Washington this — day of February, 1819.

COUNTER PROJECT OF A TREATY,
*Communicated by Mr. Adams to Don Luis de Onís,
the 13th of February, 1819.*

The United States of America, and his Catholic majesty, desiring to consolidate, on a permanent basis, the friendship and good correspondence which happily prevails between the two parties, have determined to settle and terminate all their differences and pretensions, by a treaty, which shall designate, with precision, the limits of their respective bordering territories in North America.

With this intention, the president of the United States has furnished with their full powers John Quincy Adams, secretary of state of the said United States, and his Catholic majesty has appointed the most excellent lord Don Luis de Onís Gonzales Lopes y Vara, lord of the town of Rayaces, perpetual regidor of the corporation of the city of Salamanca, knight grand cross of the royal American order of Isabella the Catholic, decorated with the lys of la Vendee, knight pensioner of the royal and distinguished Spanish order of Charles the third, member of the supreme assembly of the said royal order, of the counsel of his Catholic majesty; his secretary, with exercise of decrees, and his envoy extraordinary and minister plenipotentiary near the United States of America.

And the said plenipotentiaries, after having exchanged their powers, have agreed upon and concluded the following articles:

I. There shall be a firm and inviolable peace and sincere friendship between the United States and their citizens, and his Catholic majesty, his suc-

cessors, and subjects, without exception of persons or places.

II. His Catholic majesty cedes to the United States, in full property and sovereignty, all the territories which belong to him, situated to the eastward of the Mississippi, known by the name of East and West Florida. The adjacent islands, dependent on said provinces, all public lots and squares, vacant lands, public edifices, fortifications, barracks and other buildings, which are not private property, archives and documents, which relate directly to the property and sovereignty of said provinces, are included in this article. The said archives and documents shall be left in possession of the commissaries, or officers, of the United States, duly authorised to receive them.

III. The boundary line between the two countries, west of the Mississippi, shall begin on the Gulf of Mexico, at the mouth of the river Sabine, in the sea; continuing north, along the western bank of that river, to the 32 degree of latitude; thence, by a line due north, to the degree of latitude where it strikes the Rio Roxo of Natchitoches, or *Red river*; thence, following the course of the Rio Roxo, westward, to the degree of longitude 102 west from London, and twenty-five from Washington; then, crossing the said Red river, and running thence, by a line due north, to the river Arkansas; thence, following the course of the southern bank of the Arkansas, to its source, in latitude 41 north; and thence, by the parallel of latitude, to the South sea; the whole being as laid down in Melish's map of the United States, published in Philadelphia, improved to the first of January, 1818. But, if the source of the Arkansas river should be found to fall north or south of latitude 41°, then the line shall run from the said source due south or north, as the case may be, till it meets the said parallel of latitude 41, and thence, along the said parallel, to the South sea: the Sabine and the said Red and Arkansas rivers, and all the islands in the same, throughout the course thus described, to belong to the United States; and the western bank of the Sabine, and the southern banks of the said Red and Arkansas [rivers,] throughout the line thus described, to belong to Spain. And the United States hereby cede to his Catholic majesty all their rights, claims, and pretensions, to the territories lying west and south of the above described line; and his Catholic majesty cedes to the said United States all his rights, claims, and pretensions, to any territories east and north of the said line, and for himself, his heirs, and successors, renounces all claim to the said territories forever.

IV. To fix this line with more precision, and to place the land marks which shall designate exactly the limits of both nations, each of the contracting parties shall appoint a commissioner and a surveyor, who shall meet before the termination of one year from the date of the ratification of this treaty, at Natchitoches, on the Red river, and proceed to run and mark the said line from the mouth of the Sabine to the Red river, and from the Red river to the river Arkansas, and to ascertain the latitude of the source of the said river Arkansas, in conformity to what is above agreed upon and stipulated; they shall make out plans, and keep journals of their proceedings, and the result agreed upon by them shall be considered as part of this treaty, and shall have the same force as if it were inserted therein. The two governments will amicably agree respecting the necessary articles to be furnished to those persons, and also as to their respective escorts, should such be deemed necessary.

V. The inhabitants of the ceded territories shall be secured in the free exercise of their religion, without any restriction; and all those who desire to remove to the Spanish dominions shall be permitted to sell or export their effects, at any time whatever, without being subject, in either case, to duties.

VI. The inhabitants of the territories which H. C. M. cedes to the United States by this treaty, shall be incorporated into the union of the United States, as soon as may be consistent with the principles of the federal constitution, and admitted to the enjoyment of all the privileges, rights, and immunities, of the citizens of the United States.

VII. The officers and troops of H. C. M. in the territories hereby ceded by him to the United States, shall be withdrawn, and possession of the places occupied by them shall be given, within six months after the ratifications of this treaty, or sooner, if possible, by the officers of H. C. M. to the commissioners or officers of the United States, duly appointed to receive them.

VIII. All grants of land made by or in the name of H. C. M. in the aforesaid territories, after the 24th of January, 1818, shall be held null, the conditions of the said grants not having been performed by the grantees. All grants made before that date by H. C. M. or by his legitimate authorities in the said territories, the conditions of which shall have been performed by the grantees according to the tenor of the respective grants, and none other, shall be confirmed and acknowledged as valid.

IX. The two contracting parties reciprocally renounce all claims for damages or injuries which they themselves, as well as their respective citizens and subjects, may have suffered, until the time of signing this treaty.

The renunciation of the United States will extend to all the injuries mentioned in the convention of 11th August, 1802.

2. To all claims on account of prizes made by French privateers, and condemned by French consuls, within the territory and jurisdiction of Spain.

3. To all claims of indemnities on account of the suspension of the right of deposit at New-Orleans in 1802.

4. To all claims of citizens of the United States upon the government of Spain, arising from the unlawful seizures at sea, and from the unlawful seizure of vessels or cargoes belonging to citizens of the United States in the ports and territories of Spain or the Spanish colonies.

The renunciation of his Catholic majesty extends,

1. To all the injuries mentioned in the convention of the 11th August, 1802.

2. To the sums which his Catholic majesty advanced for the return of captain Pike from the Provincias Internas.

3. To all injuries caused by the expedition of Miranda, that was fitted out and equipped at New-York.

Finally, to all the claims of subjects of his Catholic majesty upon the government of the United States, in which the interposition of his Catholic majesty's government has been solicited before the date of this treaty, and since the date of the convention of 1802, or which may have been made to the department of foreign affairs of his majesty, or to his minister in the United States.

And the high contracting parties respectively renounce all claim to indemnities for any of the recent events or transactions of their respective commanders and officers in the Floridas.

X. The convention entered into between the two governments on the 11th August, 1802, the ratifica-

tions of which were exchanged on the 21st December, 1818, is annulled.

XI. The United States, exonerating Spain from all demands in future on account of the claims of their citizens, to which the renunciations herein contained extend, undertake to make satisfaction for the same to an amount not exceeding five millions of dollars. To ascertain the full amount and validity of these claims, a commission, to consist of three commissioners, citizens of the United States, shall be appointed by the president, by and with the advice and consent of the senate, which commission shall meet at the city of Washington, and within the space of three years from the time of their first meeting, shall receive, examine, and decide upon the amount and validity of all the claims included within the descriptions above mentioned. The said commissioners shall take an oath or affirmation, to be entered on the record of their proceedings, for the faithful and diligent discharge of their duties; and, in case of the death, sickness, or necessary absence of any such commissioner, his place may be supplied by the appointment, as aforesaid, or by the president of the United States during the recess of the senate, of another commissioner in his stead. The said commissioners shall be authorized to hear and examine, on oath, every question relative to the said claims, and to receive all suitable authentic testimony concerning the same; and the Spanish government shall furnish all such documents and elucidations as may be in their possession, for the adjustment of said claims, according to the principles of justice, the laws of nations, and the stipulations of the treaty between the two parties of 27th October, 1795; the said documents to be specified when demanded at the instance of the said commissioners.

The payment of such claims as may be admitted and adjusted by the said commissioners, or the major part of them, to an amount not exceeding five millions of dollars, shall be made by the United States, either immediately, at their treasury, or by the creation of stock, bearing an interest of six per cent. per annum, payable from the proceeds of sales of public lands within the territories hereby ceded to the United States, or in such other manner as the congress of the United States may prescribe by law.

The records of the proceedings of the said commissioners, together with vouchers and documents produced before them, relative to the claims to be adjusted and decided upon by them, shall, after the close of their transactions, be deposited in the department of state of the United States, and copies of them, or any part of them, shall be furnished to the Spanish government, if required, at the demand of the Spanish minister in the United States.

XII. The treaty of limits and navigation of 1795 remains confirmed in all, and each one, of its articles, excepting the 2d, 3d, 4th, 21st, and the second clause of the twenty second article; which, having been altered by this treaty, or having received their entire execution, are no longer valid.

With respect to the 15th article of the same treaty of friendship, limits, and navigation, of 1795, in which it is stipulated that the flag shall cover the property, the two high contracting parties agree, that this shall be so understood with respect to those powers who recognize this principle. But, if either of the two contracting parties shall be at war with a third party, and the other neutral, the flag of the neutral shall cover the property of enemies, whose government acknowledge this principle, and not of others.

XIII. Both contracting parties, wishing to favor their mutual commerce, by affording in their ports every necessary assistance to their respective merchant vessels, have agreed, that the sailors who shall desert from their vessels in the ports of the other, shall be arrested and delivered up at the instance of the consul; who shall prove, nevertheless, that the deserters belong to the vessels that claim them, exhibiting the document that is customary in their nation; that is to say: the American consul in a Spanish port shall exhibit the document known by the name of *articles*, and the Spanish consul in an American port, the roll of the vessel; and if the name of the deserter, or deserters, who are claimed, shall appear in the one or the other, they shall be arrested, held in custody, and be delivered to the vessel to which they shall belong.

XIV. The United States hereby certify, that they have not received any compensation from France, for the injuries they suffered from her privateers, consuls, and tribunals, on the coasts and in the ports of Spain, for the satisfactions of which provision is made by this treaty; and they will present an authentic statement of the prizes made, and of their true value, that Spain may avail herself of the same, in such manner as she may deem just and proper.

XV. The present treaty shall be ratified, in due form, by the contracting parties, and the ratifications shall be exchanged in six months from this time, or sooner, if possible.

In witness whereof, the underwritten, plenipotentiaries of the United States of America, and of his Catholic majesty, have signed, by virtue of our powers, the present treaty of amity, settlement, and limits, and have thereunto affixed our seals, respectively.

Done at Washington, this — day of February, 1819.

† Paper received by the secretary of state from Mr. Hyde de Neuville, 16th February, 1819.

[TRANSLATION.]

Remarks of the Chevalier de Onis. | Remarks of the secretary of state.

Article 1—Agreed.*

Article 2.

Requires a more explicit explanation.*

† Mr. de Onis being at this time confined by indisposition, at his request Mr. Hyde de Neuville had a personal interview with the secretary of state on the 15th of February, at which there was a full and free discussion of the project of Mr. de Onis, delivered February 9th, and of the counter project communicated by him to Mr. de Onis, February 13th. Immediately after this interview, Mr. de Neuville reduced to writing this paper, in which are noted the objections of Mr. de Onis to parts of the counter project; the replies to those objections by the secretary of state, and the points to which both parties were agreed. He sent a copy of the paper the next morning to the secretary of state, and another copy to Mr. de Onis. Being intended merely as a private minute, that both parties might be satisfied of the correctness in which their respective remarks were stated, it was drawn up partly in French, and partly in our own language. The passages here marked with asterisks, are in English in the original paper. The rest is translated.

‡ The minutes upon the 8th article, compared with the draft in the project of Mr. de Onis, with that of the counter project by the secretary of state, and with the article, as finally expressed in the treaty,

Article 3.

The Chevalier Onis requires, that the boundary between the two countries shall be the middle of the rivers, and that the navigation of the said rivers shall be common to both nations.

The secretary of state maintains, that the United States have always intended that the property of the river should belong to them. He insists on this point, as an essential condition, as the means of avoiding all collision, and as a principle adopted henceforth by the union, in its treaties with its neighbors. He agrees, however, that the navigation of the said rivers to the sea shall be common to both people. The secretary of state conceives, that in this clause there is nothing humiliating to Spain, as seemed to be thought; since it is not intended to impose on her an onerous stipulation, but to fix a territorial limit, which, in fact, might be extended beyond the rivers mentioned. He considers this clause as indispensable, and as eminently calculated to preserve a good understanding between the two people.

Agreed.

The minister of Spain agrees to the 100th degree of longitude, and to remove all difficulties, to admit the 42d instead of the 43d degree of latitude from the Arkansas to the Pacific ocean.

Article 4.

Agreed, as proposed by the secretary of state.

*Article 5—Agreed.**Article 6—Agreed.**Article 7.*

Agreed, with the addition that the United States shall furnish transports, and the necessary escort for conveying the aforesaid troops of his Catholic majesty and their baggage, to the Havana.*

Agreed.*

Article 8.

This article cannot be varied from what is contained in the chevalier's

Agreed, with the following explanation: that all grants of land, which

fully elucidate the understanding of the parties, that the grants of land, dated before, as well as after, the 24th January, 1818, were annulled, excepting those upon which settlements had been commenced; the completion of which had been prevented by the circumstances of Spain, and the recent revolutions in Europe.

The passages marked thus () are in English in the paper received from Mr. de Neuville.

project, as the object of the last clause therein is merely to save the honor and dignity of the sovereignty of his Catholic majesty.* shall not be annulled by this convention, are valid in the same extent as they are binding on his Catholic majesty.*

REMARKS.

The secretary of state observed to me, that the federal government would, most assuredly, never entertain the idea of disturbing individuals who were vested with a bona fide title to their property; but, as a treaty ought not to cover fraudulent practices, so no more could be asked of the United States, than could be offered by his Catholic majesty; that being, in this case, substituted for his majesty, they would scrupulously fulfil their engagements; but that more could not be expected of them.

The secretary of state even proposes, if Mr. de Onis wishes it, that the article shall be inserted in the treaty, as proposed by the minister of Spain, on condition that the above explanation shall be given in the form of a note. The federal government, unwilling to leave any thing in a state of doubt or uncertainty, only wishes to place, on the most secure footing, whatever is just and honorable; and is, at the same time, perfectly satisfied that his Catholic majesty neither asks nor wishes more.

Article 9.

Mr. de Onis requires that the article should run thus:

"To all claims of citizens of the United States upon the government of Spain, rising from a [un] lawful seizure at sea, and in the ports or territories of his Catholic majesty, in Spain or in his colonies."*

Agreed.*

And the high contracting parties respectively renounce all claims to indemnities for any of the recent events, or transactions, of their respective commanders and officers in the Floridas.*

To the above claim Mr. de Onis adds, that the U. States will satisfy all the just claims which the inhabitants and Spanish officers of the Floridas may have upon them in consequence of the damages they may have sustained by the operations and proceedings of the American army, as is customary with the citizens of the United States under similar circumstances.*

Agreed.*

Article 10.

Agreed, as it is proposed by the secretary of state.*

Agreed.*

Article 11.

The chevalier desires that the stipulation of five millions of dollars contained in this article

may be stricken out, for he is aware that the territories ceded are sufficient to pay triple that sum, and, by agreeing to that stipulation, it would appear that Spain, in consideration only of the said amount, has ceded the two Floridas and other territories, when she would not have ceded them for twenty millions, were it not her desire to arrange and terminate all differences with the United States.

The remaining parts of this article are agreed to*

Articles 12, 13, 14, and 15—Agreed.*

Article 16.

REMARKS.

This article, which I have not before me, is, I believe, that in which Mr. de Onis requires that American vessels shall only receive clearances for a specified port. It appears that this article cannot be assented to by the federal government, and is, therefore, as observed by Mr. Adams, wholly inadmissible in the present treaty.

Article 17.

Mr de Onis requires that Spanish vessels shall be admitted for twelve years into all the ports of the ceded territories, upon the same footing as the vessels of the United States.

2. That no nation shall enjoy the like privilege during the said term of twelve years.

3. That, at the expiration of the said term, Spanish vessels shall be received in said territories on the same footing as the most favored nations.

N. B. It is agreed, by both parties, that the article, stipulating the cession of the Floridas, shall be so framed as to cover the honor of both countries, and prove that the treaty is an amicable transaction, divested of mental reservations, disguise or recrimination.

The writer of these hasty notes believes that he perfectly comprehended, and has faithfully stated, the conversation he had this morning with the secretary of state.

He will be equally attentive in stating to-morrow the answer of the minister of Spain. He flatters himself that all obstacles are nearly removed, and he deems it no small satisfaction, in having been invited, by the confidence manifested in him by both parties, to co-operate, however feebly, in an event which cannot fail to have a powerful influence on the peace and happiness of both hemispheres.

Washington, 15th February, 1819.

[Signed]

G. H. DE N.

Mr. de Neuville to the secretary of state.

Mr. de Neuville has the honor to present his respects to Mr. Adams, and to enclose the statement

The secretary of state does not appear to find a positive objection to agreeing to the alteration required; however, as he conceives this article to be more important to the U. States than to Spain, he will examine the question, and see whether the request of the minister of Spain may or may not be agreed to.

Agreed.*

hastily drawn up by him yesterday evening. Mr. de Neuville believes he has omitted nothing of what Mr. Adams did him the honor to communicate to him. He will see Mr. Onis to-day at 1 o'clock, and afterwards, that is, between 2 and 3, he will call at the office of the department and hand to Mr. Adams the project sent by him to Mr. de Onis. Mr. de N. hopes that Mr. de Onis will remove the remaining unimportant difficulties, for which nothing on the part of Mr. de N. will be omitted. He avails himself, with pleasure, of this occasion to offer to Mr. Adams the renewed assurances of his high consideration.

Washington, 16th February, 1819.

JAMES MONROE,

PRESIDENT OF THE UNITED STATES OF AMERICA,
To all whom these presents shall concern, greeting:

Know ye, that I have given and granted, and do hereby give and grant, to John Quincy Adams, secretary of state of the United States, full power and authority, and also a general and special command, to meet and confer with the envoy extraordinary and minister plenipotentiary of his Catholic majesty residing in the United States, being furnished with the like full powers, of and concerning the limits between the territories of the United States and those of his said Catholic majesty in North America, and any mutual cessions of a part of the same; of and concerning all matters of difference between the said United States and his Catholic majesty; and concerning the relations of navigation and commerce between the said United States and his Catholic majesty; and to conclude a treaty touching the premises, for the final ratification of the president of the United States, by and with the advice and consent of the senate thereof, if such advice and consent be given.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed. Given under my hand, at the city of Washington, the sixteenth day of February, A. D. 1819, and of the independence of the United States the forty-third.

JAMES MONROE.

By the president:

JOHN QUINCY ADAMS,
Secretary of state.

[TRANSLATION.]

Full power of the king of Spain to don Luis de Onis.
Don Ferdinand, by the grace of God, king, &c. &c. &c. desiring to consolidate the friendship and good understanding which happily prevails between my kingdoms and the United States of America, through the mutual interests existing between the two governments, and reposing full confidence in you, don Luis de Onis, knight of the royal and distinguished order of Charles the third, and my minister plenipotentiary to the United States of America, by reason of your fidelity, distinguished zeal and approved capacity, in the arduous concerns committed to you, have granted, and by these presents do grant to you full power, in the most ample form, to treat, of yourself and without other intermediate authority, with such person or persons as may be authorised by the president of the United States, and on the principles of the most perfect equality and fitness, to conclude and sign a treaty of amity, whereby past differences may be adjusted, and a firm and lasting peace established between the two governments. Obliging ourselves, as we do hereby oblige ourselves, and promise on the faith and word of a king, to approve, ratify and ful-

fil, and to cause to be inviolably observed and fulfilled, whatsoever may be stipulated and signed by you; to which intent and purpose I grant you all authority and full power, in the most ample form, thereby and of right required.

In faith whereof, we have given command to issue the present, signed with our royal hand, sealed with our privy seal, and countersigned by our underwritten first secretary of state and of universal despatch.

Given at Madrid, the tenth day of Sept. 1816.

[L. s.] [Signed] FERDINAND.
[Countersigned] PEDRO CEVALLOS.

**TREATY OF AMITY, SETTLEMENT, AND LIMITS,
Between the United States of America, and his Catholic majesty.**

The United States of America, and his catholic majesty, desiring to consolidate, on a permanent basis, the friendship and good correspondence which happily prevails between the two parties, have determined to settle and terminate all their differences and pretensions, by a treaty, which shall designate, with precision, the limits of their respective bordering territories, in North America.

With this intention, the president of the United States has furnished with their full powers John Quincy Adams, secretary of state of the said United States; and his catholic majesty has appointed the most excellent lord Don Luis de Onís Gonzales Lopez y Vara, lord of the town of Rayaces, perpetual regidor of the corporation of the city of Salamanca, knight grand-cross of the royal American order of Isabella the catholic, decorated with the lys of la Vendee, knight-pensioner of the royal and distinguished Spanish order of Charles the third, member of the supreme assembly of the said royal order, of the counsel of his catholic majesty, his secretary with exercise of decrees, and his envoy extraordinary and minister plenipotentiary, near the United States of America.

And the said plenipotentiaries, after having exchanged their powers, have agreed upon and concluded the following articles:

ARTICLE I.

There shall be a firm and inviolable peace, and sincere friendship, between the United States and their citizens, and his catholic majesty, his successors, and subjects, without exception of persons or places.

ARTICLE II.

His catholic majesty cedes to the United States, in full property and sovereignty, all the territories which belong to him, situated to the eastward of the Mississippi, known by the name of East and West Florida. The adjacent islands dependent on said provinces, all public lots and squares, vacant lands, public edifices, fortifications, barracks and other buildings, which are not private property, archives and documents, which relate directly to the property and sovereignty of said provinces, are included in this article. The said archives and documents shall be left in possession of the commissaries, or officers of the United States, duly authorised to receive them.

ARTICLE III.

The boundary line, between the two countries, west of the Mississippi, shall begin on the Gulf of Mexico, at the mouth of the river Sabine, in the sea; continuing north, along the western bank of that river, to the 32d degree of latitude; thence, by a line due north, to the degree of latitude where it strikes the Rio Roxo, of Natchitoches, or Red River; then, following the course of the Rio Roxo, west-

ward, to the degree of longitude 100 west from London, and 23 from Washington; then, crossing the said Red River, and running thence, by a line due north, to the river Arkansas; thence, following the course of the southern bank of the Arkansas, to its source, in latitude 42 north; and thence, by that parallel of latitude, to the south sea. The whole being as laid down in Melish's map of the United States, published at Philadelphia, improved to the first of January, 1818. But, if the source of the Arkansas river shall be found to fall north, or south, of latitude 42, then the line shall run from the said source due south or north, as the case may be, till it meets the said parallel of latitude 42, and thence, along the said parallel, to the south sea: all the islands in the Sabine, and the said Red and Arkansas rivers, throughout the course thus described, to belong to the United States; but the use of the waters, and the navigation of the Sabine, to the sea, and of the said rivers Roxo and Arkansas, throughout the extent of the said boundary, on their respective banks, shall be common to the respective inhabitants of both nations. The two high contracting parties agree to cede and renounce all their rights, claims, and pretensions, to the territories described by the said line, that is to say: The United States hereby cede to his catholic majesty, and renounce forever, all their rights, claims, and pretensions, to the territories lying west and south of the above described line; and, in like manner, his catholic majesty cedes to the said United States all his rights, claims, and pretensions, to any territories east and north of the said line, and, for himself, his heirs and successors, renounces all claim to the said territories forever.

ARTICLE IV.

To fix this line with more precision, and to place the land marks which shall designate, exactly, the limits of both nations, each of the contracting parties shall appoint a commissioner and a surveyor, who shall meet before the termination of one year from the date of the ratification of this treaty, at Natchitoches, on the Red River, and proceed to run and mark the said line, from the mouth of the Sabine, to the Red River, and from the Red River to the river Arkansas, and to ascertain the latitude of the source of the said river Arkansas, in conformity to what is above agreed upon and stipulated; and the line of latitude 42, to the south sea: they shall make out plans, and keep journals of their proceedings, and the result agreed upon by them shall be considered as part of this treaty, and shall have the same force as if it were inserted therein. The two governments will amicably agree respecting the necessary articles to be furnished to those persons, and also to their respective escorts, should such be deemed necessary.

ARTICLE V.

The inhabitants of the ceded territories shall be secured in the free exercise of their religion, without any restriction, and all those who may desire to remove to the Spanish dominions shall be permitted to sell or export their effects at any time whatever, without being subject, in either case, to duties.

ARTICLE VI.

The inhabitants of the territories which his catholic majesty cedes to the United States, by this treaty, shall be incorporated in the union of the United States, as soon as may be consistent with the principles of the federal constitution, and admitted to the enjoyment of all the privileges, rights, and immunities, of the citizens of the United States.

ARTICLE VII.

The officers and troops of his catholic majesty, in the territories hereby ceded by him to the United States, shall be withdrawn, and possession of the places occupied by them shall be given, within six months after the exchange of the ratifications of this treaty, or sooner, if possible, by the officers of his catholic majesty, to the commissioners or officers of the United States duly appointed to receive them; and the United States shall furnish the transports and escort necessary to convey the Spanish officers and troops, and their baggage, to the Havana.

ARTICLE VIII.

All the grants of land, made before the 24th of January, 1818, by his catholic majesty, or by his lawful authorities, in the said territories ceded by his majesty to the United States, shall be ratified and confirmed to the persons in possession of the lands, to the same extent that the same grants would be valid if the territories had remained under the dominion of his catholic majesty. But the owners in possession of such lands, who, by reason of the recent circumstances of the Spanish nation, and the revolutions in Europe, have been prevented from fulfilling all the conditions of their grants, shall complete them within the terms limited in the same, respectively, from the date of this treaty; in default of which, the said grants shall be null and void. All grants made since the said 24th of Jan. 1818, when the first proposal on the part of his catholic majesty, for the cession of the Floridas, was made, are hereby declared and agreed to be null and void.

ARTICLE IX.

The two high contracting parties, animated with the most earnest desire of conciliation, and with the object of putting an end to all the differences which have existed between them, and of confirming the good understanding which they wish to be forever maintained between them, reciprocally renounce all claims for damages or injuries, which they themselves, as well as their respective citizens and subjects, may have suffered, until the time of signing this treaty.

1. The renunciation of the United States will extend to all the injuries mentioned in the convention of the 11th of August, 1802.
2. To all claims on account of prizes made by French privateers, and condemned by French consuls, within the territory and jurisdiction of Spain,
3. To all claims of indemnities on account of the suspension of the right of deposit, at New Orleans, in 1802.
4. To all claims of citizens of the United States upon the government of Spain, arising from the unlawful seizures at sea, and in the ports and territories of Spain, or the Spanish colonies.
5. To all claims of citizens of the United States upon the Spanish government, statements of which, soliciting the interposition of the government of the United States, have been presented to the department of state, or to the minister of the United States, in Spain, since the date of the convention of 1802, and until the signature of this treaty.

The renunciation of his catholic majesty extends,

1. To all the injuries mentioned in the convention of the 11th of August, 1802.
2. To the sums which his catholic majesty advanced for the return of captain Pike from the Provincias Internas.
3. To all injuries caused by the expedition of Miranda that was fitted out and equipped at New York.

4. To all claims of Spanish subjects upon the government of the United States arising from unlawful seizures at sea, or within the ports and territorial jurisdiction of the United States.

Finally: to all the claims of subjects of his catholic majesty upon the government of the United States, in which the interposition of his catholic majesty's government has been solicited before the date of this treaty, and since the date of the convention of 1802, or which may have been made to the department of foreign affairs of his majesty, or to his minister in the United States.

And the high contracting parties respectively renounce all claim to indemnities for any of the recent events or transactions of their respective commanders and officers in the Floridas.

The United States will cause satisfaction to be made for the injuries, if any, which, by process of law, shall be established to have been suffered by the Spanish officers, and individual Spanish inhabitants, by the late operations of the American army in Florida.

ARTICLE X.

The convention entered into between the two governments, on the 11th of August, 1802, the ratifications of which were exchanged the 21st December, 1818, is annulled.

ARTICLE XI.

The United States, exonerating Spain from all demands in future, on account of the claims of their citizens, to which the renunciations herein contained extend, and considering them entirely cancelled, undertake to make satisfaction for the same, to an amount not exceeding five millions of dollars. To ascertain the full amount and validity of those claims, a commission, to consist of three commissioners, citizens of the United States, shall be appointed by the president, by and with the advice and consent of the senate; which commission shall meet at the city of Washington, and, within the space of three years from the time of their first meeting, shall receive, examine, and decide upon the amount and validity of all the claims included within the descriptions above mentioned. The said commissioners shall take an oath or affirmation, to be entered on the record of their proceedings, for the faithful and diligent discharge of their duties; and in case of the death, sickness, or necessary absence, of any such commissioner, his place may be supplied by the appointment, as aforesaid, or by the president of the United States during the recess of the senate, of another commissioner in his stead. The said commissioners shall be authorised to hear and examine, on oath, every question relative to the said claims, and to receive all suitable authentic testimony concerning the same. And the Spanish government shall furnish all such documents and elucidations as may be in their possession, for the adjustment of the said claims, according to the principles of justice, the laws of nations, and the stipulations of the treaty between the two parties of 27th October, 1795; the said documents to be specified, when demanded, at the instance of the said commissioners.

The payment of such claims as may be admitted and adjusted by the said commissioners, or the major part of them, to an amount not exceeding five millions of dollars, shall be made by the United States, either immediately at their treasury, or by the creation of stock bearing an interest of six per cent. per annum, payable from the proceeds of sales of public lands within the territories hereby ceded to the United States, or in such other manner as

the congress of the United States may prescribe by law.

The records of the proceedings of the said commissioners, together with the vouchers and documents produced before them, relative to the claims to be adjusted and decided upon by them, shall, after the close of their transactions, be deposited in the department of state of the United States; and copies of them, or any part of them, shall be furnished to the Spanish government, if required, at the demand of the Spanish minister in the United States.

ARTICLE XII.

The treaty of limits and navigation of 1795, remains confirmed in all and each one of its articles, excepting the 2d, 3d, 4th, and 21st, and the second clause of the 22d article, which having been altered by this treaty, or having received their entire execution, are no longer valid.

With respect to the 15th article of the same treaty of friendship, limits and navigation, of 1795, in which it is stipulated, that the flag shall cover the property, the two high contracting parties agree, that this shall be so understood with respect to those powers who recognize this principle; but, if either of the two contracting parties shall be at war with a third party, and the other neutral, the flag of the neutral shall cover the property of enemies whose government acknowledge this principle and not of others.

ARTICLE XIII.

Both contracting parties, wishing to favor their mutual commerce, by affording in their ports every necessary assistance to their respective merchant vessels, have agreed, that the sailors who shall desert from their vessels in the ports of the other, shall be arrested and delivered up, at the instance of the consul; who shall prove, nevertheless, that the deserters belonged to the vessels that claimed them, exhibiting the document that is customary in their nation; that is to say: The American consul, in a Spanish port, shall exhibit the documents known by the name of *articles*; and the Spanish consul, in American ports, the roll of the vessel; and if the name of the deserter, or deserters, who are claimed, shall appear in the one or the other, they shall be arrested, held in custody, and delivered to the vessel to which they shall belong.

ARTICLE XIV.

The United States hereby certify they have not received any compensation from France for the injuries they suffered from her privateers, consuls and tribunals, on the coasts and in the ports of Spain, for the satisfaction of which provision is made by this treaty; and they will present an authentic statement of the prizes made, and of their true value, that Spain may avail herself of the same, in such manner as she may deem just and proper.

ARTICLE XV.

The United States, to give his Catholic majesty a proof of their desire to cement the relations of amity subsisting between the two nations, and to favor the commerce of the subjects of his Catholic majesty, agree that Spanish vessels, coming laden only with productions of Spanish growth, or manufactures, directly from the ports of Spain, or of her colonies, shall be admitted, for the term twelve years, to the ports of Pensacola and St. Augustine, in the Floridas, without paying other or higher duties on their cargoes or of tonnage, than will be paid by the vessels of the United States. During the said term, no other nation shall enjoy the same privileges within the ceded territories. The twelve years shall com-

mence three months after the exchange of the ratifications of this treaty.

ARTICLE XVI.

The present treaty shall be ratified, in due form, by the contracting parties, and the ratifications shall be exchanged in six months from this time, or sooner if possible.

In witness whereof, we, the underwritten plenipotentiaries of the United States of America, and of his Catholic majesty, have signed, by virtue of our powers, the present treaty of amity, settlement, and limits, and have thereunto affixed our seals, respectively,
Done at Washington, this twenty-second-day of February, one thousand eight hundred and nineteen.

[SEAL.]
[SEAL.]

JOHN QUINCY ADAMS.
LUIS DE ONIS.

[Here follows the resolution of the senate advising the ratification of the foregoing treaty, passed February 24, 1819; and the form of ratification, signed by the president on the 25th of the same month.]

TO BE CONCLUDED.

Annual Treasury Report.

Treasury department, December 10, 1819.

SIR—I have the honor to transmit herewith a report, prepared in obedience to the act, entitled “an act to establish the treasury department.”

I have the honor to be, very respectfully, sir, your most obedient servant,

WM. H. CRAWFORD.

The hon. the president of the senate.

In obedience to the directions of the “act supplementary to the act to establish the treasury department,” the secretary of the treasury respectfully submits the following report:

1st. Of the revenue.

The net revenue arising from duties upon imports and tonnage, internal duties, direct tax, public lands, postage, and other incidental receipts, during the year 1815, amounted to \$49,555,642 76, viz:

Customs, (see statement A)	36,306,022 51
Internal duties,	5,963,225 88
Direct tax,	5,723,152 25
Public lands,	1,267,959 28
Postage, and other incidental receipts	275,282 84

That which accrued from the same sources, during the year 1816, amounted to \$36,637,904 72, viz:

Customs, (see statement A)	27,484,100 36
Internal duties,	4,396,133 25
Direct tax,	2,785,343 20
Public lands,	1,754,487 38
Postage, and other incidental receipts,	237,840 53

That which accrued from the same sources, during 1817, amounted to \$24,365,227 34, viz:

Customs, (see statement A)	17,524,775 15
Internal duties,	2,676,882 77
Direct tax,	1,833,737 04
Public lands, (exclusive of Mississippi stock,)	2,015,977
Postage, and other incidental receipts,	313,855 38

And that which accrued from the same sources, during the year 1818, amounted to \$26,095,200 65, viz:

Customs, (see statement A)	21,828,451 48
Arrrors of internal duties, (see statement B)	947,946 33
Arrrors of direct tax, (see statement B)	263,926 01
Public lands, (exclusive of Mississippi stock,)	(see statement C)
Postage, dividends on bank stock, and other incidental receipts, (see statement E)	2,464,527 90
	590,348 93

It is ascertained that the gross amount of duties on merchandize and tonnage, which have accrued during the three first quarters of the present year, exceeds \$18,000,000.

And the sales of public lands during the same period, have exceeded \$8,700,000.

The payments into the treasury during the three first quarters of the year, are estimated to amount to (inclusive of \$169,594 07 in treasury notes)

Customs,	15,604,081 58
Public lands, (exclusive of Mississippi stock),	2,858,556 61
Arrears of internal duties,	195,531 02
Arrears of direct tax,	72,880 24
First instalment payable by United States bank,	500,000
First dividend on the U. S. shares in the United States bank,	175,000
Incidental receipts,	59,095 43
Repayments,	85,462 39
And the payments into the treasury during the fourth quarter of the year, from the same sources, are estimated at	5,000,000

Making the whole amount estimated to be received into the treasury during the year 1819, (exclusive of \$169,594 07 in treasury notes,) 24,381,013 10

Which, added to the balance in the treasury on the 1st day of January last, (exclusive of *dls.* 33,155 51 in treasury notes,) amounting to 1,446,371 23

Makes the aggregate amount of 25,827,384 33

The application of this sum for the year 1819, is estimated as follows, viz:

To the 30th of September the payments, (exclusive of *dls.* 81,161 79 in treasury notes, which have been drawn from the treasury and cancelled,) have amounted to 18,192,337 43

Civil, diplomatic, and miscellaneous expenses, 2,544,612 93

Military service, (including arrearage) 7,665,961 72

Naval service (including the permanent appropriation for the gradual increase of the navy,) 3,527,640 42

Public debt, (exclusive of *dls.* 81,161 79 in treasury notes, above mentioned,) 4,454,172 31

During the fourth quarter it is estimated that the payments, (exclusive of *dls.* 120,577 79 in treasury notes, which will be drawn from the treasury and cancelled,) will amount to 7,300,000

Viz: Civil, diplomatic, and miscellaneous expenses, 500,000

Military service, 1,530,000

Naval service, 300,000

Public debt to the 1st of Jan. 1820, (exclusive of *dls.* 120,587 79 in treasury notes, above mentioned) 4,970,000

Making the aggregate amount (exclusive of *dls.* 201,749 58, in treasury notes, drawn from the treasury and cancelled) of 25,493,387 43

And leaving, on the 1st of January, 1820, a balance in the treasury, estimated at 334,996 90

2d. Of the public debt.

The funded debt which was contracted before the year 1812, and which was unredeemed on the first day of October, 1818, (as appears by statement I,) amounted to 29,681,280 07

And that contracted subsequently to the 1st day of January, 1812, and unredeemed on the 1st of October, 1818, as appears by the same statement, amounted to 68,146,039 84

Making the aggregate amount of 97,827,319 01

Which sum agrees with the amount stated in the last annual report, as unredeemed on the 1st October, 1818, excepting the sum of *dls.* 1,885 13, which was then short estimated, and which has since been corrected by actual settlement.

On the 1st day of January, there was added to the amount, for treasury notes brought into the treasury and cancelled, and for which the following stock was issued

In 6 per cent. stock,	49,624 71
In 7 per cent. stock,	2,646 00
	51,670 71

Making

97,878,990 62

From which deduct Louisiana 6 per cent. stock reimbursed on the 21st of Oct. 1818, 4,977,950 00

And deferred stock reimbursed between the 1st of Oct. 1818 and 1st of Jan. 1819, 252,863 27

5,230,813 27

Making the public debt, which was unredeemed on the 1st Jan. 1819, (as appears by statement 2,) amount to 92,648,177 35

From the 1st of January to the 30th September, inclusive, there was, by funding treasury notes, and issuing 3 per cent. stock, for interest on old registered debt, added to the public debt, as appears by statement 3, the amount of 35,135 59

92,684,312 94

From which deduct the amount of stock purchased during that period, (per statement 4.) 711,557 55

And the estimated reimbursement of deferred stock, 243,927 89

955,785 40

Making, on the 1st of Oct. 1819, (as appears by statement 3,) the sum of 91,728,527 51

Since the 30th of Sept. there has been redeemed or provision made for the redemption of 51 per cent. of the Louisiana stock unpaid on the 1st Oct. 1819, amounting to 2,601,817 15

And there will be reimbursed of the principal of the deferred 6 per cent. stock, on the 1st January, 1820, 241,506 70

2,843,323 65

Leaving the public debt unredeemed on the 1st January, 1820, by estimate, *dls.* 88,885,203 66

The treasury notes in circulation are estimated, (as appears by statement 5,) at 181,821 00

The whole of the awards made by the commissioners appointed under the several acts of congress for indemnifying certain claimants of public lands, (as appears by statement 6,) amounts to 4,282,151 12

Of which there has been received at the office of the commissioner of the general land office, (as appears by statement C,) the sum of 2,372,574 31

Leaving outstanding, at the dates of the several returns from the land districts, *dls.* 1,909,576 81

3d. Of the estimates of the public revenue and expenditures for the year 1820.

In presenting the estimate for the year 1820, it may be proper to observe that, when the internal duties were repealed, on the 31st of December, 1817, the permanent revenue, including those duties, was estimated at \$24,525,000, whilst the annual authorised expenditure was ascertained to be less than \$22,000,000. The repeal of the internal duties reduced the former to 22,025,000 dollars, whilst the payments from the treasury, during the year 1818, exceeded 26,000,000 dollars; and those of the present year will, probably, fall but little short of 25,500,000 dollars.

In the annual report of the treasury of the 21st of November, 1818, the receipts for the present year were estimated at 24,220,000 dollars. Although this estimate will be realized in its general result, deficiencies have been ascertained in the customs, the internal duties and direct tax, the bank dividends and the postage of letters. The deficiency which has occurred in the customs, internal duties and direct taxes, will probably augment, in nearly the same degree, the receipts from those sources in the year 1820, by the payment of the revenue bonds, and of that portion of the internal duties and direct taxes which, if the accustomed punctuality had been observed, would have been received during the present year. But it is probable that the receipts of that year will be diminished by the non-payment of the bank dividends, and by the application of a portion of the proceeds of the public lands to the redemption of the outstanding Mississippi stock. The receipts for the year 1820, applicable to the ordinary and current demands upon the treasury, may therefore be estimated at 22,000,000 dollars; viz:

Customs,	19,000,000 00
Public lands,	2,000,000 00
Arrears of internal duties and direct tax,	450,000 00
Second instalment due by the United States' bank,	500,000 00
Incidental receipts,	50,000 00
Which, with the sum estimated to be in the treasury on the 1st of January, 1820,	334,996 90
Make the aggregate amount of	\$22,334,996 90

The estimates of the expenditure for the year 1820 are not yet complete; but it is ascertained, from those which have already been received, that a sum not less than 27,000,000 dollars, will be required for the service of that year. This deficit of nearly 5,000,000 dollars, resulting from the excess of expenditure beyond the receipts, cannot be supplied by any application of the ordinary revenue.

After paying the interest and reimbursement of the public debt, and redeeming the remainder of the Louisiana stock, about 2,500,000 dollars of the sinking fund will remain without application, if the price of the public stocks should continue above the prices at which the commissioners of the sinking fund are authorised to purchase. During the years 1821, 1822, and 1823, the average sum of 5,000,000 dollars of the sinking fund will also remain without application, if the price of the public stock should prevent its purchase. Any application of that portion of the sinking fund which, on account of the price of the public stock, may remain unemployed in the hands of the commissioners of the sinking fund, to other branches of the public service, if allowable under the provisions of the act making the appropriation, would only postpone the period at which additional impositions would be required to meet the public expenditure. Such an application would also have the effect of ultimately retarding the redemption of the public debt.

It may by proper to add, that, although some of the items in the estimate for the ensuing year may be considered in their nature temporary, yet it is probable that the estimate for succeeding years will exceed, rather than fall below it.

Under all the circumstances, it is respectfully submitted, that the public interest requires that the revenue be augmented, or that the expenditure be diminished.

Should an increase of the revenue be deemed expedient, a portion of the deficit may be supplied by an addition to the duties now imposed upon various articles of foreign merchandize, and by a reasonable duty upon sales at public auction; but it is not probable that any modification of the existing tariff can supersede the necessity of resorting to internal taxation, if the expenditure is not diminished. Should congress deem it expedient to modify the present rate of duties, with a view to afford that protection to our cotton, woolen, and iron manufactures, which is necessary to secure to them the domestic market, the necessity of resorting to a system of internal taxation will be augmented. It is believed that the present is a favorable moment for affording efficient protection to that increasing and important interest, if it can be done consistently with the general interest of the nation. The situation of the countries from whence our foreign manufactures have been principally drawn, authorises the expectation, that, in the event of a monopoly of the home market being secured to our

cotton and woolen manufactures, a considerable portion of the manufacturing skill and capital of those countries will be promptly transferred to the United States, and incorporated into the domestic capital of the union. Should this expectation be realized, the disadvantages resulting from such a monopoly would quickly disappear. In the mean time, it is believed that a system of internal taxation would be severely felt by the great mass of our citizens.

Whether the revenue be augmented, or the expenditure be diminished, a loan to some extent will be necessary. The augmentation of the one, or the diminution of the other, cannot be effected in sufficient time to prevent this necessity. As the six per cent. stock of the United States is considerably above par, the sum required to be raised by loan can be conveniently and advantageously obtained by the sale of stock of that description; or it may be obtained by the issue of treasury notes. If the revenue and expenditure shall be equalized, the issue of treasury notes, not bearing interest, is recommended in preference to the creation or sale of stock, as the loan, in that event, will be small in amount, and temporary in its nature.

All which is respectfully submitted.

WM. H. CRAWFORD.

CONGRESS.

IN THE SENATE.

Dec. 13. Mr. *Dickerson* gave notice that he should on to-morrow, ask leave to introduce a resolution proposing an amendment to the constitution of the United States, as it respects the mode of electing electors of president and vice president of the United States, and of representatives in the congress of the United States.

Dec. 14. Mr. *Pleasants*, elected a member of the senate from Virginia, vice Mr. *Eppes* resigned, appeared, was qualified and took his seat.

It being announced that the president had signed the resolution for the admission of Alabama into the union, Mr. *Walker* took his seat as a senator from that state.

Mr. *Dickerson*, agreeably to notice given, having asked and obtained leave, introduced a resolution proposing an amendment to the constitution as respects the mode of electing electors of president and vice president of the United States and representatives in congress. [This resolution is the same in form and substance as the resolution offered by Mr. *D.* and considered at the last session.]

A message was received from the president of the United States, transmitting to the senate copies of a digest of commercial regulations of those nations with which the United States have commercial intercourse, prepared and printed under the direction of the executive, in pursuance of a resolution of the senate, of March 3, 1817; which message was read.

Dec. 15. Mr. *Freeman Walker*, a senator from Georgia, in the place of Mr. *Forsyth*, resigned, appeared, was qualified, and took his seat.

Mr. *Sauford* gave notice that he should on to-morrow ask leave to introduce a bill to continue in force the act of April 20, 1818, supplementary to the act of 1799, to regulate the collection of duties on imports and tonnage.

HOUSE OF REPRESENTATIVES.

Thursday, Dec. 9. The following committees were announced as having been appointed by the Speaker, pursuant to the orders of yesterday:

Of ways and means.—Messrs. Smith, of Md. Burwell, Trimble, Crawford, Moseley, Shaw, and Tyler.

Of elections.—Messrs. Taylor, Whitman, Merrill, Tarr, Brown, Tucker, of S. C. and Sloan.

Of claims.—Messrs. Williams, of N. C. Rich, McCoy, Samuel Moore, Culbreth, Edwards, of Conn. and Metcalfe.

Of commerce.—Messrs. Newton, M'Lane, of Del. Tomlinson, Mason, Allen, of Tenn. Hill, and Folger.

Of manufactures.—Messrs. Baldwin, Meigs, Little, M'Lean, of Ky. Forrest, Parker, of Mass. and Ross.

On the district of Columbia.—Messrs. Kent, Cobb, Mercer, Neale, Swearingen, Fullerton, and Smith, of N. J.

On the public lands.—Messrs. Anderson, Hendricks, Jones, of Tenn. Nelson, of Mass. Cook, Ballard Smith, and Stevens.

On private land claims.—Messrs. Campbell, Pindall, Rankin, Robert Moore, Bryan, Tracy, and Eddy.

On the post office and post roads.—Messrs. Livermore, Sampson, Russ, Culpepper, Tompkins, Walker, of Ky. and Burton.

On pensions and revolutionary claims.—Messrs. Rhea, W. P. Maclay, Settle, Allen, of Mass. Linn, Street, and Jones, of Va.

On public expenditures generally.—Messrs. Simkins, Slocumb, Hunter, Hazard, Dowse, Plumer, and Ford.

On the judiciary.—Messrs. Sergeant, Beecher, Robertson, Reid, Brevard, Lincoln, and Tucker, of Va.

Of accounts.—Messrs. Smith, of N. C. Bateman, and Upham.

Of revised and unfinished business.—Messrs. Morton, Butler, of N. H. and Ball, of Va.

On the subject of the district of Maine memorial.—Messrs. Holmes, Hill, Phelps, Allen, of N. Y. and Hooks.

On the Missouri memorial.—Messrs. Scott, Robertson, Terrell, Strother, and De Witt.

On foreign affairs.—Messrs. Lowndes, Holmes, Nelson, of Virginia, Dickinson, Randolph, Barbour, and Archer.

On military affairs.—Messrs. A. Smyth, of Virginia, Van Rensselaer, Brush, Cocke, Ringgold, Cushman, and Parker, of Virginia.

On naval affairs.—Messrs. Pleasants, Silsbee, Johnson, Wendover, Warfield, Hall of North Carolina, and Dennison.

On the slave trade.—Messrs. Hemphill, Mercer, Strong of New York, Edwards, of Pennsylvania, Rogers, Lathrop, and Abbott.

On the militia.—Messrs. Cannon, Quarles, Her- rick, Floyd, Strother, Richmond, and Kendall.

On the civilization of the Indians.—Messrs. South- ard, Wallace, Walker, of North Carolina, Williams, of Virginia, Kinsley, Richards, and Baker.

On roads and canals.—Messrs. Storrs, Crafts, Pin- dall, Marchand, Hendricks, Davidson, and Street.

On the public buildings.—Messrs. Cobb, Lyman, Garnett, Murray, Fisher, Case, and McCreary.

On the revolutionary pensions.—Messrs. Bloomfield, Clagett, Pitcher, Alexander, Adams, Clark, and Patterson.

COMMITTEES OF EXPENDITURES.

In the department of state.—Messrs. Holmes, Peck, and Hibshman.

In the department of the treasury.—Messrs. Trim- ble, Hall, of New York, and Gross of Pennsylvania.

In the department of war.—Messrs. Brush, Over- street, and Gros of New York.

In the department of the navy.—Messrs. Archer, Fay, and Bufium.

In the post office.—Messrs. Livermore, Hackley, and Monell.

On the public buildings.—Messrs. Meigs, Strong of Vermont, and Hostetter.

On motion of Mr. Cannon, of Tennessee, the house came to the following resolution.

Resolved, That a committee be appointed to en- quire into the expediency of paying the soldiers and officers of the volunteers and militia, for horses and other property lost whilst in the service of the United States on the Seminole campaign, in all cases where such loss was sustained in consequence of a failure on the part of the general government to furnish the necessary forage, and without any fault or neglect on the part of the owner.

On motion of Mr. Cook, of Illinois, the house came to the following resolutions:

Resolved, That the committee on public lands be instructed to enquire into the expediency of estab- lishing additional land offices in the state of Illinois for the sale of the public lands.

Resolved, That the same committee be instructed to enquire into the expediency of extending the time for completing the payments for lands heretofore pur- chased from the government within said state, and that the committee have leave to report by bill or otherwise.

Friday, Dec. 10. The following members appear- ed this day, were qualified, and took their seats, viz. —from Massachusetts, Mr. Fuller; from Michigan, Mr. Woodbridge, delegate.

Mr. Storrs, after a few remarks, submitted the fol- lowing resolution—

Resolved, That a committee be appointed to en- quire and report to this house, whether any of the public monies appropriated by congress for the pay and subsistence of the regular army of the United States, since the 4th day of March, 1815, have been applied to the support of any army or detachment of troops, raised without the consent of this house, or the authority of congress, and that the said com- mittee also have leave to report by bill.

The resolution was agreed to, without debate or opposition.

On motion of Mr. Pindall, it was

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of pro- viding by law for the prosecution of suits in the na- ture of petitions of right, and informations of intru- sion, in cases in which the government of the United States is concerned.

And then the house adjourned to Monday.

Monday, Dec. 13. Mr. Cuthbert, from Georgia, appeared and took his seat.

The speaker announced the appointment of spe- cial committees on sundry petitions. A large num- ber of petitions have already been presented to the house.

On motion of Mr. Hendricks the committee on the public lands were instructed to enquire into the expediency of continuing the act of the last ses- sion, "further to suspend for a limited time the sale or forfeiture of lands for failure in completing the payment thereon."

Mr. Gross, of New York, submitted the following resolution for consideration:

Resolved, That a select committee be appointed, with instructions to enquire into the expediency of providing by law for compensating such citizens of the U. States as suffered captivity or loss of prop- erty, by the enemy, between the times of their ap- proach to, and retreat from, Plattsburg, in the year 1814, and which happened in consequence of such citizens having been in arms with the militia, against

such enemy, or having refused protection from them, and without neglect or fault on the part of such citizens; and that the said committee have leave to report by bill or otherwise.

[It appeared in explanation, that the committee of claims had had these matters under consideration, at the last session. That, though they did not admit the claims on principle, yet on account of the extreme hardships of the claimants, the committee had reported in favor of allowing them a *gratuity* equal to about one-half the amount claimed, but the house refused to concur with the committee and rejected the report. Mr. Gross' motion was, thereupon, negatived.]

On motion of Mr. Foot, of Connecticut, it was

Resolved, That, in all cases where petitions were presented at the last session of congress to this house, and referred, but not finally acted upon, both by the committees and the house, the said petitions should be considered as again referred to the same committees respectively, without special order to that effect; and that it shall be the duty of said committees respectively, upon application in behalf of any petitioner, whose petition was presented and referred as aforesaid, to consider and report thereon in the same manner as if it were referred to such committee by special order of the house.

Mr. Mercer submitted a resolution to prevent the circulation of bank bills of a less denomination than five dollars, in the district of Columbia.

Mr. Allen proposed to raise a committee to enquire into the expediency of fixing a standard of weights and measures—which, after some explanations by Mr. Lowndes, shewing that the secretary of state was about to make a full report on the subject, was withdrawn.

The orders of the day being announced, a motion was made to go into committee of the whole on the Missouri bill.

But a motion to adjourn had preference, and was agreed to.

Tuesday, Dec. 14.—Mr. Harden, from Kentucky, appeared and took his seat.

It being announced to the house, that the president had signed the resolution declaring the admission of the state of Alabama into the union,

Mr. Crowell, the representative from the state of Alabama, presented himself, was qualified, and took his seat.

Mr. Williams, of North Carolina, offered for consideration the following resolution:

Resolved, That the president of the U. States be requested to cause to be laid before this house any information he may possess, respecting certain executions or other punishments which may have been inflicted on the army of the United States, since the year 1815, contrary to the laws and regulations provided for the government of the same."

Considerable discussion followed—the resolution had immediate reference to a circumstance reported to have taken place by order of col. King, at Pensacola, directing deserters to be shot instantly on being taken, and without trial, by which one soldier was put to death. A variety of opinion existed as to the best mode of acting upon the resolution; it finally prevailed, *nem. con.* as offered by Mr. Williams, and a committee was ordered to be appointed to lay it before the president.

Mr. Taylor, of New York, after an appropriate exordium, to bring about a discussion of the important question in a spirit of amity and brotherly love, offered the following resolution—

Resolved, That a committee be appointed to enquire into the expediency of prohibiting by law the

introduction of slaves into the territories of the U. States west of the Mississippi."

This resolution, by the consent of Mr. Taylor, was laid upon the table till to-morrow, and the house adjourned.

Wednesday, Dec. 15. Several reports on private petitions were received, &c.

A message was received from the president of the United States, transmitting, in pursuance of a resolution of this house of 24th February last, a report of the secretary of state, and sundry documents, relative to the imprisonment of William White, a citizen of the United States, by the government of Buenos Ayres. The message was read, and, with the documents, ordered to be printed.

A letter was also laid before the house from the secretary of the navy, stating that the appropriations made for the support of the navy by the act of February last, are exhausted, and that a partial appropriation has become necessary, in addition to that already made, for the service of the present year. The letter was read, and referred to the committee on naval affairs.

Mr. Rich, of Vermont, after some well-pointed remarks on the law for granting pensions for revolutionary services, offered the following resolution—

Resolved, That the committee on revolutionary pensions be instructed to enquire into the manner in which the act of the 18th of March, 1818 has been executed; ascertaining, as far as may be practicable, the class or classes of cases which it has been construed to embrace, and such as have been excluded from its provisions: whether the objects contemplated by its passage have been, or probably will be effected by the operations of that law; and if not, whether it be susceptible of such amendments as will insure the accomplishment of those objects; that, in case it shall be ascertained that, from fraudulent practices under the law, for which no effectual remedy can be applied, or from any other cause, the original objects of it are unattainable, the said committee enquire into the expediency of its repeal." Agreed to.

On motion of Mr. Cook, it was

Resolved, That the secretary of war be directed to lay before the house of representatives the several topographical reports that have been made to the war department, in pursuance of instructions to that effect, respecting the practicability of uniting by a canal the waters of the Illinois river and those of lake Michigan, and such other information as he may be in possession of on that subject.

The resolution offered yesterday by Mr. Taylor to appoint a committee "to enquire into the expediency of prohibiting by law the introduction of slaves into the territories of the United States; west of the Mississippi," came up for consideration, and

A committee, of seven members was then ordered to be appointed.

Mr. Taylor, then moved to postpone, until the first Monday in February next, the order of the day on the bill authorizing a convention of the people of Missouri, for the purpose of forming a constitution and state government.

Several gentlemen spoke on this motion. Mr. Lowndes thought the day too distant, and wished this motion to be among the orders of the day. Mr. Livmore thought that as it was a subject likely to excite irritation, it ought to be postponed to a late day of the session. Mr. Scott, delegate from Missouri, opposed the delay and urged a speedy decision. It was useful for the people of the territory to know the result, that they might proceed to organize a state government "which he was convinced they would do, without wanting again to apply to congress for more means of organization." Mr. Taylor spoke in favor of the postponement—it appeared to him that the time stated would be an unprofitable discussion; and that if the people of Missouri were resolved to form a state government *without* the consent of congress, they would learn the result in time enough to do it. After other members had expressed their sentiments, a motion for postponement until the 2nd Monday in January was carried.

Thursday's proceedings, (not important) in our next

NILES' WEEKLY REGISTER.

SUPPLEMENTARY TO NO. 16—VOLUME V.—NEW SERIES.

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

Relations with Spain.

DOCUMENTS.

TRANSMITTED TO BOTH HOUSES OF CONGRESS, WITH
THE MESSAGE OF THE PRESIDENT, DEC. 7TH 1819.

[CONCLUDED FROM PAGE 260.]

General instructions to Mr. Forsyth, minister plenipotentiary to Spain.

DEPARTMENT OF STATE,
Washington, 8th March, 1819.

John Forsyth:

SIR—The treaty of amity, settlement, and limits, between the United States and Spain, concluded on the 22d ultimo, and ratified on the part of the United States, having provided for the adjustment of all important subjects of difference between the two nations, the first object of your mission will be to obtain the ratification of the Spanish government and receive it in exchange for ours, the authentic instrument of which is committed to your charge. The United States ship *Hornet*, captain Read, is in readiness at Boston, and orders have been despatched under which you will take passage in her for Cadiz. It is desirable that you should embark without delay. On your arrival in Spain, the *Hornet* will remain at Cadiz, subject to your orders, until the exchange of the ratifications can be effected. And if, as is anticipated, no obstacle should intervene to delay that transaction, you will, upon receiving the Spanish ratified copy, immediately forward it to captain Read, with directions to bring it immediately to the United States. As the ulterior destination of the *Hornet* will be the Gulph of Mexico, the port to which it will be advisable for him to come, will be New-York.

On exchanging the ratifications, certificates of the fact will be mutually executed and delivered by you and the Spanish minister with whom you will make the exchange. Copies of that which passed in both languages on the exchange of the ratifications of the convention of the 11th August, 1802, are now furnished you, and will serve as forms to be used in the performance of this ceremony. On this occasion, as upon all others upon which you may have occasion to execute any document, joint, or reciprocal, with a foreign minister of state, you will be careful to preserve the right of the United States to the *alternativ* of being first named, and your own right as their representative, to sign first in the papers executed; while, in the counterparts, the other contracting party will be named first, and the foreign minister will first sign and seal. A rigid adherence to this practice has become necessary, because it is strictly adhered to by all the European sovereigns, in their compacts with one another; and, because the United States having heretofore sometimes forborne to claim this conventional indication of equal dignity, some appearance of a disposition to allege the precedent against them, as affecting their right to it, was manifested by the British plenipotentiaries on executing the convention of 3d July, 1815, and by Mr. de Onis, at the drawing up and signing of this treaty. The scruple was, however, in both cases abandoned, and the right of the United States to the alternative was conceded. It is not expected that it will hereafter be questioned, and you will consider it as a

standing instruction to abide by it in the execution of any instrument of compact, which, as a public minister of the United States, you may be called to sign.

After the exchange of the ratifications, your attention will be directed to the object of carrying the provisions of the treaty into effect. The orders for the evacuation by the Spanish officers and troops of the places occupied by them in the Floridas will, no doubt, be immediately issued; and as the transports and escort for conveying them to the Havana are to be furnished by the United States, it is hoped you will obtain copies of the orders, and transmit them here with the ratification of the treaty. You will think it advisable to keep the Spanish government reminded of the necessity to include in the orders for the delivery of possession, that of all the archives and documents relating to the dominion and sovereignty. The appointment of a commissioner and surveyor, for running the line of the western boundary, must also be kept in remembrance, and notice given to us as soon as possible after their appointment. You will collect from the archives of the legation at Madrid all the documents relating to the claims of citizens of the United States upon the Spanish government, which have been deposited there, and which come within the description of claims to be exhibited to the commissioners under the 11th article of the treaty. You will send all these documents, together with the ratified treaty, to this department, retaining descriptive lists of them; and, if necessary, copies of such papers for which no equivalent substitute could be produced in case of their being lost. Should you have reason to believe that any documents, which you should be able to specify, were in possession of the Spanish government, tending to elucidate any of these claims, you will endeavor to obtain them. The treaty provides that they shall be furnished at the demand of the commissioners. But, as much time may be saved, if they can be sent here to be ready when the commission will be organized, and commence the exercise of its functions, you will, should the occasion present itself, use your endeavors to that effect.

Certificate of exchange of ratifications, referred to in the preceding instructions.

We, John Quincy Adams, secretary of state of the United States of America, and don Luis de Onis Gonzales Lopes y Varea, lord of the towns of Rayaces, Macadina, and Lagartera, member of different academies and societies, both national and foreign, perpetual regidor of the corporation of the city of Salamanca, knight grand cross of the royal American order of Isabella the Catholic, decorated with the lys of la Vendee, knight pensioner of the royal and distinguished Spanish order of Charles the third, member of the supreme assembly of the said royal order, of the council of his Catholic majesty, his secretary with exercise of decrees, and his envoy extraordinary and minister plenipotentiary near the United States of America—certify, that the ratifications of the convention between the said United States of America and his said majesty, concluded on the eleventh day of August one thousand

eight hundred and two, accompanied with all suitable solemnities, and after due comparison each with the other, and with the original examples of the convention, have been exchanged by us this day.

In witness whereof, we have signed this act in triplicates, and have sealed the same with our respective seals, at the city of Washington, this twenty-first day of December, one thousand eight hundred and eighteen.

(Signed) JOHN QUINCY ADAMS. [L. S.]

LUIS DE ONIS. [L. S.]

The secretary of state to Don Luis de Onis.

DEPARTMENT OF STATE,

Washington, 10th March, 1819.

DON LUIS DE ONIS, envoy extraordinary, and minister plenipotentiary from Spain.

SIR:—By the eighth article of the treaty of amity, settlement, and limits, signed by us on the 22d of last month, all grants of land in the Floridas, made by his Catholic majesty, or his legitimate authorities in those provinces, subsequent to the 24th of January, 1818, are declared to be null and void. This date, as you will recollect, was agreed to on the part of the United States, with a full and clear understanding between us, that it included the grants alleged to have been made in the course of the preceding winter by the king to the duke of Alagon, the count of Punon Rostro, and Mr. Vargas. As these grants, however, are known to the government of the United States only from rumor, without the knowledge of their dates, it is proper that, on exchanging the ratifications, your government should know that, whatever the date of those grants may have been, it was fully understood by us that they are all annulled by the treaty, as much as if they had been specifically named, and that they will be so held by the United States. To avoid any possible misconception, your answer to this statement is requested; and the exchange of the ratifications will be made, under the explicit declaration and understanding that all the above-mentioned grants, and all others derived from them, are null and void.

I pray you to accept the assurances of my distinguished consideration.

[Signed] JOHN QUINCY ADAMS.

Don Luis de Onis to the secretary of state.

[TRANSLATION.]

SIR:—I have received the note you were pleased to address to me of this day's date, in which you state that, by the eighth article of the treaty signed by us on the 22d of last month, it was agreed, on the part of the United States, that all grants of land in the Floridas, made by his Catholic majesty, or his legitimate authorities, subsequent to the 24th January, 1818, are declared to be null and void, with a full understanding that it included the grants alleged to have been made in the course of the preceding winter, by the king, to the duke of Alagon, the count of Punon Rostro, and Mr. Vargas; and that, therefore, you request of me a declaration that, whatever the date of those grants may have been, it was fully understood by us, that they are annulled by the treaty, as much as if they had been specifically named.

With the frankness and good faith which have uniformly actuated my conduct, and which distinguish the character of the Spanish nation, I have to declare to you, sir, that when I proposed the revocation of all the grants made subsequent to the date above-mentioned, it was with the full belief that it comprehended those made to the duke of Alagon, as well as any others which had been stipulated at this period.

But, at the same time that I offer you this frank, simple, and ingenuous declaration, I have to express to you, that if my conception had been different, or, if it had appeared to me that any of those grants were prior to the date above-mentioned, I would have insisted upon their recognition, as the honor of the king, my master, and the unquestionable rights of his sovereignty of his possessions, and the disposal of them, obviously required.

I will hasten to transmit to my government due information of the whole; and, impressed, as I am, with the conviction of his majesty's most earnest desire to meet the wishes of the president, I persuade myself that he will, with pleasure, participate in that sentiment, by admitting the explicit declaration which you have requested of me. In the mean time, I beg you will favor me with your answer to the explanations I requested yesterday, in relation to the late act of congress concerning piracy.

Be pleased to accept the assurance of my distinguished consideration. God preserve you many years.

[Signed]

LUIS DE ONIS.

Washington, 10th March, 1818.

The secretary of state to Mr. Forsyth.

DEPARTMENT OF STATE,

Washington, 10th March, 1819.

JOHN FORSYTH, minister plenipotentiary to Spain.

SIR:—By the eighth article of the treaty of amity, settlement, and limits, between the United States and Spain, signed on the 22d of last month, all the grants of lands, made by his Catholic majesty, or by his lawful authorities, since the 24th of January, 1818, in the territories ceded by H. C. M. to the United States, in the Floridas, are declared, and agreed to be, null and void. This date was proposed by Mr. Onis, and acceded to on the part of the United States, with a full and clear understanding, on both sides, that the grants made, or alleged to have been made, in the course of the preceding winter, to the duke of Alagon, the count of Punon Rostro, and Mr. Vargas, were among those agreed and declared to be null and void. Copies of the grants to the count of Punon Rostro and to Mr. Vargas, in the form of orders to the governor general of the island of Cuba, and to the governor of the Floridas, have been transmitted to this department by Mr. Erving; the first of which bears date the 6th of February, and the second the 11th of March, 1818, but no copy has been received of that to the duke of Alagon. As, however, the authenticity of these documents might be denied, and the grants have never been made public, it is proper that the possibility of any future question, with regard to those grants, should be guarded against, for which purpose, the form of a declaration is enclosed, which it will be proper for you to deliver, on exchanging the ratifications of the treaty, to the Spanish minister, with whom you will make the exchange. The fact of the mutual understanding, that those grants were annulled by the treaty, is fully and explicitly admitted by Mr. Onis in his answer, dated this day, to a note from me on this subject; copies of which, with a translation of his answer, are herewith enclosed. It is not anticipated that any objection will be made to receiving the declaration; if, however, there should be, you will, nevertheless, exchange the ratifications; it being sufficient to give the notice and the proof of the understanding, on both sides, of the operation of the article, and of the effect which will be given to it on the part of the United States.

I am, with much respect, &c.

[Signed] JOHN QUINCY ADAMS.

Form of the declaration, referred to in the preceding letter.

The undersigned, minister plenipotentiary from the United States of America at the court of his Catholic majesty, is commanded by the president of the United States to explain and declare, upon the exchange of the ratifications of the treaty of amity, settlement, and limits, between the United States and H. C. M. signed by the respective plenipotentiaries at Washington, on the twenty-second day of February last, that, in agreeing upon the 24th day of January, 1818, as the date, subsequent to which all grants of land, made by H. C. M. or by his legitimate authorities in the Floridas, were declared to be null and void, it was with a full and clear understanding between the plenipotentiaries of both the high contracting parties, that, among the grants thus declared null and void, were all those made, or alleged to have been made, in the course of the preceding winter, by H. C. M. to the duke of Alagon, the count of Punon Rostro, and Mr. Vargas, and all others derived from them. And the ratifications of the treaty are exchanged under the explicit declaration and understanding that all the said grants are null and void, and will be so held by the United States.

[Signed] — — —
Madrid, — — — 1819.

The secretary of state to the minister of France.

MR. HYDE DE NEUVILLE, Envoy extraordinary and minister plenipotentiary from France.

Washington, 17th March, 1819.

SIR—By the eighth article of the treaty lately concluded between the United States and Spain, all grants of land made by the king of Spain, or his legitimate authorities in Florida, before the 24th of January, 1818, are confirmed on certain conditions: all those made after that date are declared null and void.

Since the conclusion of the treaty, a rumor has been circulated, that certain grants, made by the king of Spain, in the course of the preceding winter, to the duke of Alagon, the count of Punon Rostro, and Mr. Vargas, were made on the 23d of January, 1818. Mr. Forsyth has therefore been instructed, on exchange of the ratifications of the treaty, to declare that it was fully and explicitly understood on both sides, at its signature, that all those grants, and all others derived from them, were, by the treaty, included among those declared to be absolutely null and void. Mr. de Onis himself, in answer to a note from me, has readily declared that such was his understanding. From the friendly part taken by you, in concert with Mr. de Onis, in this negotiation, you were apprised of all the circumstances attending it: and I have to request that you would have the goodness to state your impressions on the subject, particularly in relation to the absolute nullity of those grants, and, as far as you think proper, the facts in connection with this transaction, which you have mentioned to me in conversation.

I pray you, sir, to accept the assurance of my distinguished consideration.

[signed] JOHN QUINCY ADAMS.

The minister of France to the secretary of state.

[TRANSLATION.]

LEGATION OF FRANCE IN THE UNITED STATES:

Washington, 18th March, 1819.

SIR: I was very sure, and you were of the same opinion, that, to destroy the rumor which had been spread, it would suffice to inform the minister of Spain of it. The loyalty which characterizes him

did not permit the smallest uneasiness on the subject. After the declaration of Mr. Onis, mine can be of no importance; however, as you desire (in case the mistake of date should be real) that the fact resulting from the treaty should be well established, and by all those persons who took part, directly or indirectly, in the transaction. I have the honor, sir, to declare to you in the most formal manner, that it has been understood, always understood, by you, by the minister of Spain, and, I will add, by myself, that the three great grants of land made to the duke of Alagon, to the count of Punon Rostro, and to Mr. Vargas, were of the number of those annulled.

The date of 24th of January was proposed and accepted in the complete persuasion, on one part and the other, that these three great grants were subsequent to it.

I will add, sir, because it is the exact and pure truth, that, having been charged by Mr. Onis, during his illness, to discuss with you several articles of the treaty, particularly the eighth article, you consented to the drawing up of this article more in conformity with the desire of the Spanish minister, only on the admission, as a fact beyond doubt, that the three principal grants were and remained null, and as not having taken place. Mr. Onis has not ceased thus to understand it. He has explained himself upon it frankly and loyally, as well since as before the treaty. The mistake of date, if it exists, can, then, give birth to no difficulty whatever at Madrid. The good faith of Mr. Onis, that of his government, are guarantees too strong to render any other explanation necessary. Between governments, as between individuals, the same laws of honor and probity govern transactions. The convention exists only by the convention; therefore, sir, in this case the simple statement of the fact will be sufficient to rectify the mistake.

In answering, sir, immediately the letter which you did me the honor to write to me, I embrace with much pleasure this new opportunity to assure you of the high consideration with which I have the honor to be, &c.

[Signed] G. HYDE DE NEUVILLE.

Hon. Mr. Adams, secretary of state.

Observations on the eighth article of the treaty of the 22d February, 1819, between the United States and Spain, submitted to Mr. de Neuville 14th July, 1819.

It will be recollected by Mr. de Neuville, that, on the 15th of February last, Mr. de Onis being confined to his house by indisposition, Mr. de Neuville, at his request, had a conversation with Mr. Adams, in which were discussed the project of a treaty which had been delivered, on the 9th of February, by Mr. de Onis to Mr. Adams, and the counter-project sent by Mr. Adams to Mr. de Onis, on the 13th of the same month.

The ninth article of the project of Mr. Onis was in these words:

"All the grants of land made by his Catholic majesty, or by his legitimate authorities, in the aforesaid territories, of the two Floridas, and others which his majesty cedes to the United States, shall be confirmed and acknowledged as valid, excepting those grants which may have been made after the 24th January of last year, the date that the first proposals were made for the cession of those provinces, which shall be held null in consideration of the grantees not having complied with the conditions of the cession."

The eighth article of the counter-project sent by Mr. Adams was as follows.

"All grants of land made by or in the name of H. C. M. in the aforesaid territories, after the 24th of January, 1818, shall be held null, the conditions of the said grants not having been performed by the grantees. All grants made before that date by H. C. M. or by his legitimate authorities in the said territories, the conditions of which shall have been performed by the grantees according to the tenor of the respective grants, and none other, shall be confirmed and acknowledged as valid."

M. de Neuville's particular attention is requested to the difference between the two projected articles, because it will recall particularly to his remembrance the point upon which the discussion concerning this article turned. By turning to the written memorandum drawn up by Mr. de Neuville himself, of this discussion, he will perceive he has noted that Mr. de Onis insisted, "that this article could not be varied from what was contained in the chevalier's project, as the object of the last clause therein was merely to save the honor and dignity of the sovereignty of his Catholic majesty."

It was then observed by Mr. Adams, that the honor and dignity of H. C. M. would be saved by recognizing the grants prior to the 24th of January, as "valid to the same extent as they were binding on his Catholic majesty," and he agreed to accept the article as drawn by Mr. Onis, with this explanation (see Mr. de Neuville's memorandum.) It was on this occasion that Mr. de Neuville observed that if the grants prior to January 24, 1818, were confirmed only to the same extent that they were binding on the king of Spain, there were many *bona fide* grantees, of long standing, in actual possession of their grants, and having actually made partial settlements upon them, but who had been prevented, by the extraordinary circumstances in which Spain had been situated, and the revolutions in Europe, from fulfilling all the conditions of the grants; that it would be very harsh to leave these persons liable to a forfeiture, which might, indeed, in rigor, be exacted from them, but which very certainly never would be if they had remained under the Spanish dominion. It will be well remembered by Mr. de Neuville how earnestly he insisted upon this equitable suggestion, and how strongly he disclaimed for Mr. Onis every wish or intention to cover, by a provision for such persons, any fraudulent grants. And it was then observed, by Mr. de Neuville, that the date assumed of 24th January of 1818, was not sufficient for guarding against fraudulent grants, because they might be easily antedated. It was with reference to these suggestions of Mr. de Neuville, afterwards again strenuously urged by Mr. de Onis, that the article was finally modified as it now stands in the treaty, declaring all grants subsequent to 24th January, 1818, absolutely null, and those of prior date valid to the same extent only that they would have been binding upon the king, but allowing to *bona fide* grantees, in actual possession, and having commenced settlements, but who had been prevented by the late circumstances of the Spanish nation and the revolutions of Europe, from fulfilling all the conditions of their grants, time to complete them. It is needless to observe that, as these incidents do not apply to either of the grants to Alagon, Punon Rostro, or Vargas, neither of those grants is confirmed by the tenor of the article as it stands: and that it is perfectly immaterial in that respect whether they were dated before or after the 24th January, 1818, it being admitted, on all sides, that these grants were not binding upon the king, conformably to the Spanish laws. The terms of the article accord precisely with the intentions of

all the parties to the negotiation and the signature of the treaty. If the dates of the grants are subsequent to 24th January, 1818, they are annulled by the date; if prior to that date, they are null because not included among the prior grants confirmed.

The secretary of state to Mr. John Forsyth.

JOHN FORSYTH, esquire, minister plenipotentiary of the United States, Madrid.

DEPARTMENT OF STATE,

Washington, 18th August, 1819.

Sir: Captain Read, of the Hornet, has delivered to me your despatches of the 10th, 17th, and 22d of June, which have been submitted to the consideration of the president.

However extraordinary the conduct of the Spanish government, in relation to the treaty, signed on the 22d of February last, has been, the president is unwilling to abandon the hope, that, within the period of six months, allowed for the exchange of the ratifications, a sense of justice, and of decent regard for the public faith of the king and nation, solemnly pledged by the treaty, will prevail over the individual intrigues and lurking influence which prompted the delay that has taken place. Should this expectation, however, be disappointed, and should the treaty remain unratified by Spain at the time when you shall receive this despatch, you will immediately make an official communication to the minister of foreign affairs, stating that the ratification of Spain, with the explicit understanding on her part, that the alleged grants to the duke of Alagon, count Punon Rostro, and Mr. Vargas, and all others which may have been made under the same circumstances, are, by the eighth article of the treaty, null and void, and will be so held by the United States, will be accepted as valid; and that you are authorised to receive the Spanish ratification in exchange for that of the United States, though after the lapse of the stipulated six months: provided the exchange shall be immediate, and in such time that you can despatch the ratified treaty by the messenger who will be the bearer of this, in season to arrive here before the meeting of congress, on the first Monday in December; that, if the ratified treaty should not arrive here at that time, a full communication will be made by the president to congress, of all the transactions relating to the treaty, and such measures will be adopted by that body, as they shall think required by the exigency of the case; that, whatever their determination may be, the Spanish government will be responsible to the United States for all damages and expenses which may arise from the delay or refusal of Spain to ratify, and from the measures to which the United States may resort to give efficacy to their rights: and that, for the indemnities to which they will be justly entitled, for this violation of faith by Spain, the United States will look to the territory west of the Sabine river.

The only reason assigned by the minister of state, ad interim, Salmon, for the postponement of the Spanish ratification, was the determination of the king, founded upon the great importance of the treaty, to act upon it with full deliberation. This may have been sufficient to justify delay within the period stipulated by the treaty; but, after the expiration of that period, can no longer be alleged. Delay beyond that period will be a breach of faith; for the treaty, in all its parts, from the moment of its signature by Mr. Onis, and the ratification of the United States, was as binding upon the honor and good faith of the Spanish king and nation, as it

would be after the ratification. It is scarcely supposable that Spain will contest this position, or that it should be necessary to present it to her view, in the following terms, of the full power of Mr. Onís, the original of which, signed by the king of Spain, was delivered to me before the signature of the treaty. The words of his Catholic majesty are, after authorizing Mr. Onís to treat, "negociate and conclude a treaty, whereby past differences may be adjusted, and a firm and lasting peace established between the two governments; obliging ourselves, as we do hereby oblige ourselves, and promise, on the faith and word of a king, to approve, ratify, and fulfil, and to cause to be inviolably observed and fulfilled, *whatsoever may be stipulated and signed by you*, to which intent and purpose, I grant you all authority, and full power, in the most ample form, thereby as of right required.* If language, so explicit and unqualified, were, in regard to its import, susceptible of any doubt, founded on the usage which requires the ratification of the sovereign, for the full consummation of a treaty, there is nothing dubious or uncertain in the extent of obligation resting upon him, by the signature of his minister, vested with such a full power. The following passages from Vattel and Martens are decisive authorities upon the principle:

"Sovereigns treat together by the agency of their attorneys or mandatories, clothed with sufficient powers; they are commonly called plenipotentiaries. All the rules of the law of nature, concerning things performed by commission, are here applicable. The rights of the agent are defined by the authority given him. From this he must not depart, *but whatever he promises within the terms of his commission, and according to the extent of his powers, is binding upon his constituent.*"

"At this time, to avoid all danger and difficulty, princes reserve to themselves the right of ratifying that which has been concluded by their minister, in their name. The full power is merely a commission, *encomienda*. If this commission were to have its full effect, it should be given with the utmost circumspection. But, as princes can be constrained to fulfil their obligations, only by force of arms, the custom has arisen, of relying upon their treaties, only after they have sanctioned and ratified them. Whatever the minister has concluded, remaining ineffectual, until the ratification of the prince, there is less danger of giving him a full power. But to refuse, with honor, to ratify that which has been concluded in virtue of a full power, the sovereign must have strong and solid reasons for it, and particularly, *he must shew that his minister transcended his instructions.*" Vattel, Book 2, Chap. 12, § 156.

"Every thing that has been stipulated by an agent, in conformity to his full powers, ought to become obligatory for the state, from the moment of signing, without even waiting for the ratification. However, not to expose a state to the errors of a single person, it is now become a general maxim, that public conventions do not become obligatory till ratified. The motive of this custom clearly proves that the ratification can never be refused with justice, except when he who is charged with

the negotiation, keeping within compass with respect to his public full powers, has gone beyond his secret instructions, and consequently has rendered himself liable to punishment, or when the other party refuses to ratify."

Martens' Summary Book 2, chap 1 § 3.

The obligation of the king of Spain, therefore, in honor and in justice, to ratify the treaty signed by his minister, is as perfect and unqualified as his royal promise in the full power; and it gives to the United States the right equally perfect to compel the performance of that promise.

Should it be suggested that the United States, themselves, have, on more than one occasion, withheld or annexed conditions to the ratification of treaties, signed by their plenipotentiaries in Europe, it will readily occur to you, that, by the nature of our constitution, the full powers of our ministers never are or can be unlimited; that whatever they conclude must be, and by the other contracting party is always known and understood to be, subject to the deliberation and determination of the senate, whose consideration it must be submitted before its ratification; that our full powers never contain the solemn promise of the nation to ratify whatever the minister shall conclude, but reserve expressly, not only the usual right of ratification, but the constitutional privilege of the senate, to give or withhold their assent to the ratification, without which assent, by a majority of two-thirds of the members present at the vote taken after consideration of the treaty, the president has no authority to ratify. In withholding or refusing the ratification, therefore, no promise or engagement of the state is violated. But neither the same reason nor the same principle applies to the king of Spain, who possesses the sole, entire, and exclusive power of ratifying treaties made by his ministers, and who, therefore, by the promise on the faith and word of a king, to ratify whatever his minister shall sign, commits his own honor, and that of his nation, to the fulfilment of his promise. This distinction is well known and clearly recognized by the law of nations.*

The Spanish government cannot allege either that Mr. Onís transcended his secret instructions, or that the ratification of the United States has been refused, or that any unfair advantage was taken on the part of the United States, in the negotiation, or that Spain was not fully aware beforehand of the full extent of the engagements contracted by Mr. Onís. It is too well known, and they will not dare to deny it, that Mr. Onís' last instructions authorized him to concede much more than he did; that those instructions had been prepared by Mr. Pizarro; that after the appointment of the marquis de Casa Yrujo to the ministry, they were by him submitted to the king's council, and, with their full sanction, were transmitted to Mr. Onís; that, both in relation to the grants of lands in Floridas, and to the western boundary, the terms which he obtained were far within the limits of his instructions; that it

*The sovereign who possesses full and absolute power has undoubtedly the right to treat, in the name of the state which he represents, and his engagements bind the whole nation. But the rulers of nations have not all the exclusive power of making public treaties; some are under the restriction of taking the advice of the senate, or of the representatives of the nation. It is in the fundamental laws of each state that we must look for the power capable of contracting valid engagements in the name of the state. Vattel, book 2, chap. 12, § 154.

*"Obligandonos y prometemos en fe y palabra de Rey que aprobaremos, ratificaremos, cumpliremos y haremos observar y cumplir inviolablemente quanto por vos fuere estipulando y firmado para lo qual os concedo todas las facultades y plenos poderes en la forma mas amplia que de derecho se requieren."

was known to and understood by him, that the grants to Alagon, Punon Rostro, and Vargas, were annulled by the treaty; that so fully was this his understanding, that, in his despatches to his government, he pointed out to them means of indemnifying those grantees, for their disappointment, from other lands. The government of the United States, indeed, considered the moderation and generosity of the terms to which they had acceded as a pledge that they would be received with pride and joy by the Spanish government. And so, it will not be denied, they were in the first instance received by the king of Spain and his cabinet. If, afterwards, from the unexpected extent of sacrifices which the United States made, for purposes of conciliation, and of sincere amity, Spain has drawn the inference that this temper may be trifled with, and abused, it is proper, and will be just, that she should be effectually undeceived.

Should the ratification be withheld, it is to be presumed that some other reason than the importance of the treaty will ultimately be assigned by Spain for withholding it. What that will be, can at present only be conjectured. If the grants to the duke of Alagon and count Punon Rostro, should be assigned as forming the objection, you will explicitly declare that the United States have no compromise to make, and will listen to none on that subject. The insinuation of the marquis of Cassa Yrujo, that those grants, by the letter of the eighth article, would be confirmed, if dated before the 24th January, 1818, was totally unfounded. Mr. Onis knows that the whole of the eighth article was finally drawn up, as it stands, with the express intention, declared by me, and agreed to by him, to exclude them from confirmation, whatever might be their dates. Mr. Onis, on the first project of a treaty, delivered on the 9th of February, had drawn the article in such terms as to confirm all grants made before the 24th of January, 1818. If the article had even been accepted by us in those terms, it could only be by an unworthy deception, pretending that it covered the grants of Alagon and Punon Rostro, because it had been explicitly agreed, on both sides, that they should be annulled, and because Mr. Onis, who always spoke of them as fraudulent grants, of which he was ashamed for his country, has repeatedly declared to me, that he signed the treaty without knowing their dates, but fully believing them to be subsequent to the 24th of January. If, then, the confirmation of the grants, prior to that date, had been, as it was first proposed by Mr. Onis, positive and unqualified, and if the grants had been completely made before that date, there might be some pretence that they were covered by the letter of the article, though by a mistake, common to both parties, of which a just and honorable government would disdain to take any other advantages than that of manifesting its good faith, by its cheerfulness and promptitude in rectifying the error, and fulfilling the intention, instead of the letter, of the engagement. But the article was not accepted in this form. In the counter-project, delivered by me on the 13th of February, the grants prior to the 24th January, 1818, *the conditions of which should have been performed by the grantees*, and none other were declared to be confirmed. At the time that the counter-project was received by Mr. Onis, he was confined to his house by indisposition. At his request, the communications between him and me were made by the friendly interposition of the French minister, M. Hyde de Neuville. Mr. Onis insisted on the article concerning the grants, as drawn up by him, not for the purpose of covering

these grants, for he professed an earnest desire that they should be annulled, for the vindication of his own character from the aspersion which had been circulated here, that he had a personal interest in them; but he had drawn the article in these terms *merely to save the honor of the king*. It was then observed that the honor of the king could be saved by declaring the grants prior to the 24th January, 1818, *binding to the same extent*, as they would have been upon the Spanish government, if the cession to the United States had not been made. It was known and admitted, that neither of those grants would in that case have been valid, because the conditions, by the laws of the Indies, indispensable to their validity, neither had been, nor could be fulfilled by the grantees; and their non-performance had been formally assigned by Mr. Onis, in his letter to me of the 16th November, 1818, as his reason for agreeing to their being annulled. But he observed, that there were grants of old standing, made *bona fide* to persons in actual possession of the lands, and having made improvements and settlements upon them, but who, by the late revolutions in Europe, and the convulsed state of Spain, had been prevented from completing all the conditions of their grants—and that it would be but equitable to allow them time, from the date of the treaty, to fulfil them. To this a ready assent was given, and the article was thus agreed to: limiting to such grants alone, the confirmation prior to the 24th of January, 1818.

Minutes of the discussion upon this article were drawn up in writing at the time by Mr. Neuville, copies of which were furnished both to Mr. Onis and to me, prior to the signature, and recognized by us both to be correct. An abstract from them of all that relates to this article, together with the draft of the article as first proposed by Mr. Onis, of that in our counter-project, and of the article as finally agreed to, are herewith enclosed. They will show that the confirmation of the grants to Alagon, Punon Rostro, and Vargas, is as effectually excluded by the limitations in the first part of the article, if their date is prior to the 24th of January, 1818, as by the date itself, if made subsequent to that time. They were not excluded *by name* for two reasons: First, conformably to the desire of Mr. Onis, *to save the honor of the king*. You will see this distinctly noted in the minutes of Mr. de Neuville. Secondly, because, from the despatches of Mr. Erving, it was supposed there were other grants of the same kind, and made under similar circumstances. To have named them might have left room for a presumptive inference in favor of others. The determination was to exclude them all.

No reliance was placed upon the exclusion by the date, because the grants having been secretly made, and without the usual formalities, the copies of them received from Mr. Erving might be unauthentic; because no copy of the grant to Alagon had been received; and because, if fraud was to be guarded against, it was well known that antedating was one of its most familiar and favorite expedients. When, shortly after the signature of the treaty, a rumor was circulated here, that the date of the grants was one day prior to the 24th of January, 1818, and that this last date had been assumed with the intention, at least on the part of Mr. Onis, that they should be confirmed; without admitting the suspicion that he had attempted a deception for which the language of decency has no name, it was yet thought advisable, that no shadow of a pretence should by any possibility be raised after the ratification of the treaty, by Spain or the grantees, that those grants were confirmed, or that either party

of the compact had understood that they would be by the article as it stood. You were therefore instructed, on exchanging the ratifications, to deliver a declaration of this construction, which it had been the avowed intention of both parties, at the signature that the eighth article should bear, in relation to the grants in question, and the only one which the United States would ever admit. Mr. Onís, by his answer to my note of the 10th March, unequivocally recognized that such had been his understanding of the import of the article when he signed it. He added, indeed, that if he had known that the grants were of a prior date, he should have insisted upon their being confirmed. But, without remarking that his ignorance of their date could have no possible effect to render valid that which he had agreed and understood to be null and void, it had escaped his recollection, that, in his note to me of the 16th November, 1818, he had agreed that these grants should all be annulled, *because their conditions had not been fulfilled by the grantees*. The president of the United States yet willing to accept of the ratification of that treaty by Spain. It settles important interests; it secures pacific and harmonious relations with Spain; it provides indemnities to many of our citizens for injuries which Spain acknowledges they have suffered from her; and it gives us Florida, a land useless and expensive to Spain, though, chiefly by its position, valuable to us. But, for all these advantages, we know that we have given in the same treaty ample and generous equivalents to Spain, and she will find herself much deceived, if, in the hope of making hereafter a better bargain, she now disdains them. To possess Florida, with the full and fair consent of Spain, is undoubtedly an object of interest to the American government; but an object of infinitely deeper and clearer interest to them, is to observe towards Spain, and all other nations, a just, and candid, and single-hearted course of conduct, free from fraud, artifice, or disguise. And that which they observe, they demand in return.—They will neither themselves practise, nor from others submit to, a disingenuous, double-dealing system of treachery, paltering with its own engagements, and spreading snares for the generous confidence of good faith.

You will therefore, on consideration, exchange the ratifications without delivering the declaration prescribed by your instructions, when you took charge of the treaty; and you will not fail, if the ratification be withheld, to address an earnest remonstrance to the Spanish government, against the grants themselves, and the circumstances under which they were issued.

The proposal of Mr. Onís' letter to this department, of 31st October, 1818, was as follows: "That the late grants made by his majesty, in the Floridas, since the 24th of January last, the date of my first note announcing his majesty's willingness to cede them to the United States, (the said grants having been made with a view to promote population, cultivation, and industry, and not with that of alienating them) shall be declared null and void, in consideration of the grantees not having complied with the essential conditions of the cessions, as has been the fact."

And in his letter of the 10th March, referring to this proposal, he says, "with the frankness and good faith which have uniformly actuated my conduct, and which distinguish the character of the Spanish nation, I have to declare to you, sir, that, when I proposed the revocation of all the grants made subsequent to the date abovementioned, it was with

the full belief that it comprehended those made to the duke of Alagon, as well as any others, which had been stipulated at that period."

Here then is the express declaration of the Spanish negotiator, of that treaty: 1st. That the grants in question were all, in his full belief when he made the proposal, included among those positively annulled by the date. 2d. That these grants had been made by the king, with the view of promoting population, cultivation, and industry, and not with that of alienating the territory, and, 3d, that the grants were all null and void, because the grantees had not complied with the essential conditions of the grants.

Now, what shall be said after these plain and positive declarations, which Spain advances, as the only ground of pretence, that these grants were confirmed by the treaty; that they were dated before the 24th January, 1818, indeed; but, after the instructions by which Mr. Onís was authorised to make his proposal of that date, for the cession of the Floridas, had been despatched to him from Madrid? What becomes of his positive assurance, that these grants were made for the population, and improvement of the territory, and not with a view of alienation? And what was the meaning of Spain, in stipulating, that an acknowledged debt of indemnities, from her to citizens of the United States, at least to the amount of five millions of dollars, should be paid from the proceeds of public lands in Florida, when she now comes and says, that while her minister was signing this compact on her part, his sovereign, by a secret and irregular alienation of the lands, has made its accomplishment impossible? In whatever other light it is to be considered, it is an injury to the United States, for which they are entitled to demand and obtain satisfaction. When the government of a nation degrades itself, by flagrant and notorious perfidy, those who are constrained to entertain political relations of neighborhood with them, are justified, by the law of nature, and it is their duty to themselves, in subsequent transactions with such a state, so take pledges of security, for the performance of its engagements, more effectual than confidence in its good faith. Such pledges are amply within the reach of the United States, in their intercourse hereafter with Spain; nor is it to be presumed, that those who are intrusted with the maintenance of the rights and interests of this nation, will overlook, or neglect, the duty which may be devolved upon them, of taking them.

This despatch will be delivered to you by captain Reid, of the Hornet. If the ultimate decision of the Spanish government, upon the treaty, should be still pending, on his arrival at Madrid, you will demand it immediately, giving notice, that a delay of more than one week, after your communication, will be taken as a refusal. At the expiration of that time, or sooner, if the decision be made known sooner to you, you will despatch captain Reid, that his return to this place may, with all confidence, be expected by the 20th of November. Should the ratifications be exchanged, your leave of absence, contemplated when you left this country, may be used at your discretion; but if not, the president thinks it best that you should remain at Madrid, to await the contingency of events upon the meeting of congress.

I am very respectfully,
Your obedient and
Very humble servant,

[Signed] JOHN QUINCY ADAMS.

Mr. Forsyth to the marquis of Casa Yrujo.
His excellency the marquis of Casa Yrujo,
first secretary of state, &c. &c. &c.

MADRID, MAY 19, 1819.

SIR: The treaty concluded on the 22d of February, 1819, at Washington, by Mr. Adams on the part of the government of the United States, and the chevalier de Onis on the part of his catholic majesty, has been entrusted to me by the president of the United States, duly ratified; and I am prepared to exchange the ratifications of this instrument at any moment it may suit the convenience of your excellency. From the nature of the engagement, it is desirable that the earliest exchange should be made; and this would be particularly convenient, as an opportunity is afforded of sending this important document to my government, by the American ship of war *Hornet*, now in the harbor of Cadiz, and destined, in a few days, to the United States.

I seize, with avidity, every opportunity to present to your excellency, whom may God preserve, the assurances of my distinguished consideration.

[Signed] JOHN FORSYTH.

Mr. Forsyth to the marquis of Casa Yrujo.
MADRID, 4th June, 1819.

SIR: On the 18th of May last, I addressed to your excellency an official note, to inform you "that I was ready to exchange the ratifications of the convention, &c. concluded at Washington, by Mr. Adams and the chevalier de Onis, on the 22d February 1819; that it was desirable, from the nature of that instrument, that an immediate exchange of ratifications should be made, the more especially so, as I had an opportunity of sending it, when ratified by the king, to the United States, by the American sloop of war *Hornet*, then and now lying in the harbor of Cadiz." The time at which it will be necessary for that vessel (by the return of which the American government expects to receive the treaty ratified by his majesty) to sail for the United States has so nearly arrived, that it is my indispensable duty to call your excellency's attention again to the subject of that note. It would be painful for me to see this vessel depart without the treaty. The government of the United States had a just and well founded expectation that no unreasonable delay would take place, and therefore looked to the return of this vessel for the instrument, executed with due formalities. Her arrival without it will not fail to make the most unfavorable impressions. To obviate such an effect is beyond my power, as I can perceive no adequate motive to prevent his majesty's government from acting on this subject prior to her departure from Spain. Your excellency will not deem me unnecessarily importunate, or unreasonable, when I ask an immediate attention to this business, and express my conviction that an answer will be given to this, and to my note of the 18th May, already alluded to, on the earliest day that the convenience of his majesty's government will permit.

I renew to your excellency, whom may God preserve, the assurances of my distinguished respect and consideration.

[Signed] JOHN FORSYTH.

[TRANSLATION.]

Don Manuel Gonzales Salmon to Mr. Forsyth

SIR—The king, my august master, has informed himself of the contents of your two notes of the 18th of May last, and 4th instant, in both of which you state that you are ready to exchange the ratifications of the treaty concluded at Washington, on the

23d of February last, by Don Luis Onis and Mr. Adams, and that, from the nature of the treaty, and the favorable opportunity of transmitting it to the United States by the *Hornet* sloop of war, you are desirous that the said exchange may be made as expeditiously as may be.

I have also submitted to his majesty the purport of your verbal communications to me on this subject, and I again brought to his view your observations thereon in the two several conferences I have had the honor to hold with you.

His majesty has, in consequence, commanded me to inform you in reply, that, on reflecting on the great importance and interest of the treaty in question, he is under the indispensable necessity of examining it with the greatest caution and deliberation, before he proceeds to ratify it.

This being all I am enabled to communicate to you on this point, for the present, I avail myself, with pleasure, of the renewed occasion it affords me to offer you my respects, and I pray God to preserve you many years.

[Signed] MANUEL GONZALES SALMON.
Palace, 19th June, 1819.

Mr. Forsyth to Don Manuel Gonzales Salmon.

MADRID, June 21, 1819.

SIR—The determination of his Catholic majesty to delay the exchange of ratifications of the treaty signed on the 22d February, at Washington, by Mr. Adams and the chevalier Onis, as communicated by your excellency's note of the 19th instant, in reply to my notes of the 18th May, and the 4th of the current month, fills me with regret. As the subject matter of that treaty has been for years before the two governments, both of whom have, no doubt, long since discussed and deliberately determined upon what they would respectively claim and yield, I took it for granted no motive for delay could exist. Your excellency's note, while it states to me the fact that a longer delay is contemplated, does not enlighten me as to the cause. The measure is, no doubt, important and interesting to his majesty's kingdom, but no new light can have broken in upon the subject since the instructions were given to the chevalier de Onis, upon which the treaty is founded on the part of Spain—no change of the circumstances of the parties to it has occurred—no new causes of difficulty, or complaint, are known to exist. Although the words of the treaty allow six months to elapse before the instrument is annulled, if the exchange of ratifications is not previously made, I must represent to your excellency, that every hour's delay is at variance with the spirit of the instrument. The time stipulated was, to guard against accidents, extended to the longest period which, under any circumstances, could be required to effect the exchange. Had the distance of our respective governments permitted, the time fixed would not have been extended beyond a single day. If the government of the United States had not gratuitously offered the exchange here, his majesty would have been compelled, ere this, to have transmitted the treaty ratified, on the part of Spain, to America, or have lost the benefit of the convention. You will recollect that no place is fixed at which the exchange is to be made. It is to the confidence of the American government in the good disposition of Spain, that the king, your master, is indebted for the opportunity thus to delay acting upon the subject. The ill consequences which will ensue from this postponement, and the impression likely to be made by it, can be easily foreseen. Your excellency

(Continued in the first page of No. 17.)

NILES' WEEKLY REGISTER.

NEW SERIES. No. 17—VOL. V.] BALTIMORE, DEC. 25, 1819. [No. 17—VOL. XVII. WHOLE No. 433

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT 75 PER ANNUM, PAYABLE IN ADVANCE.

☞ An extra sheet, of eight pages, as supplementary to the last number, accompanies the present—the documents relating to Spain, now happily concluded, may not be interrupted, the miscellaneous matter in this sheet is thrown back to page 280. We shall hereafter, we hope, have a little room, and be enabled to dispose of and to discuss several things in which we feel deeply interested.

(*Relations with Spain—continued from page 272.*)
may correctly estimate the conjectures to which it will give birth in the United States, from what is passing here. You, perhaps, are not yet to learn, that the delay of the last month has given rise, at the seat of his majesty's government, among his own subjects, to the most monstrous and absurd suppositions. Among the subjects of Spain, those who best know the integrity of the king, and the purity of his councils, it is asserted that an act, required by the policy of this government, essential to the interests of this kingdom, and demanded by the honor of the king, will not be performed. Yes, sir, the king is calumniated in his very capital by a most unjust surmise, that there will be a refusal to do that which the reputation of Spain requires; that which Spain dare not refuse to do. Your excellency will not understand this as threatening his majesty's government with the consequences which might ensue from the resentment of the United States, if it were possible for Spain to act in this business with bad faith. Threats are used by conscious weakness, not by conscious strength. I know too well the abundant resources, the expanding power, the youthful vigor of my country, to degrade her character by using language unworthy of it—if not by my respect for Spain, I should be prevented by the fear of the deserved resentment of my own country; I should not easily be forgiven for condescending to say how she would punish an act of perfidy. It is by her acts, and not by the railings of her ministers, that she will be known to those who violate the faith pledged to her. But there is this, which a just government will more cautiously avoid than even the well-founded resentment of a powerful nation—the degradation of conscious baseness. No wise king will dare to do an act which would deprive him of the respect of all nations, sully the reputation of his kingdom in the eyes of the civilized world, and deprive his people of the strongest incentive to virtuous exertions, under every dispensation of heaven—the confidence in the integrity of their government. If, even in Spain, unjust surmises and unfounded mistrusts are entertained, your excellency, recollecting the lately subsided irritations of long-continued disputes with the government of his majesty, will not be surprised that, in the United States, the same cause should produce, not suspicions, but firm convictions of the intention of this government to disappoint the expectations reposed in its good faith. I know full well that, in two months, the act of the exchange of ratifications will prove, that these harsh convictions have been hastily and incorrectly formed; but the impression of them may remain, and the motive for the delayed exchange may be misunderstood. I have used every effort to avert it, but in vain. If my

apprehensions should not be realized, I shall heartily rejoice.

It only remains for me to say, in this last note that I shall address your excellency on this subject, that whenever his majesty directs you to exchange the ratification of the treaty of the 22d of February, 1819, I am prepared, at any period before the 22d of August, on the part of my government, to perform that ceremony.

I renew to your excellency, whom may God preserve, the full assurance of my perfect respect.

[signed]

JOHN FORSYTH.

[TRANSLATION.]

Don Manuel Gonzales Salmon to Mr Forsyth.

Sir—I duly received the note you were pleased to address to me, dated the 21st of June last, in answer to that which I had the honor to write to you on the 19th of the same month, being my reply to your notes of the 8th of May and 4th of June, requesting the speedy ratification and exchange of the treaty, lately concluded at Washington, on the 22d February, of the present year, between his majesty, the king, my master, and your government.

In my said reply, I confined myself to stating to you that his majesty, having taken that important subject into his most serious consideration, had found it indispensably necessary to examine the treaty with the utmost caution and reflection before he proceeded to ratify it.

In your answer you express your surprise at the delay attending a transaction which, having been already thoroughly discussed, could require no renewed examination of its final and definitive decision; and the more so, as the circumstances which lead to it, had experienced no change, with either party. You proceed to develope, at length, the injurious effect that, in your opinion, must be produced by the delay of the Spanish government in concluding this affair, and also of the disagreeable consequences that you foresee must result from that delay; and you conclude, by stating that whenever his Catholic majesty shall please to authorize me to exchange the ratifications of the treaty of 22d February, 1819, you are ready to execute that act on behalf of your government, at any time prior to the date of the 22d of August.

It would have been desirable if you had confined yourself, in your said note, to expressing your surprise, and that of your government, at the delay, on the part of Spain, in terminating by her ratification, an affair which, according to the intention of both, was to be considered as concluded, and to earnestly requesting the exchange of the same; by which the wishes of your government, and one of the principal objects of your arrival at this court, would be accomplished.

Thus, it is to be supposed, that you would have only conformed to the instructions which you will probably receive from your government; and, therefore, other expressions and phrases you have used in your note, cannot fail to appear very extraordinary, which your ardent zeal for the interest of your nation has, doubtless, prompted you to employ, but in which you have been carried further than really could have been wished.

The expressions and phrases alluded to, which I refrain from otherwise specifying, are, to say the least, entirely superfluous, and, consequently, foreign to the subject in question; they have, therefore, surprised the more, as, in no possible case, can they be applicable to the Spanish government, or to its agents. Convinced of the rectitude and justice of its rights, and of those ever prescribed by the bounds of moderation, it never has, in its communications, permitted itself to go to such extremes as would justify the proceeding now adverted to.

There would be much to remark upon a style so unusual in diplomatic communications, and still less conformable to the sentiments of mutual friendship and harmony, which should exist between the two governments of Spain and the United States of America, as well as of those which, as its representative, you are in a situation to express; but I shall abstain from any particular detail or comment upon your expressions, and confine myself merely to declare to you, as I have already done, the extreme surprise produced by that part of the contents of your note.

I am, at the same time, authorised by the king, my master, to inform you that, having deliberately weighed the important subject which forms the principal object of your communication, he is of opinion, that a final decision cannot be taken thereupon, without previously entering into several explanations with the government of the United States, to some of which your government has given rise.

His majesty has, therefore, been pleased to charge, with his full confidence, a person possessing all the qualifications necessary for bringing this interesting trust to a happy conclusion, who will forthwith make known to the United States his majesty's intentions on this point, in order that, all obstacles being removed on the one side and cleared up on the other, all the doubts which have arisen may be done away, and a full and satisfactory accomplishment given to the earnest desire which has animated the king, my master, on this subject, which certainly has uniformly been to see the friendship and good understanding, subsisting between both governments, established on the most solid basis, and secured against future chances of interruption.

His Catholic majesty persuades himself that the government of the United States, in accordance with these principles and sentiments, far from refusing to admit these new explanations, will cheerfully receive them, as a proof of the good faith and frankness of the conduct of Spain; and that they will accede to her views, by promoting also, on their part, the speedy conclusion of an affair productive of the mutual advantage of both powers.

I offer, &c. &c.

[Signed] MANUEL GONZALES SALMON.

Madrid, 10th August, 1819.

Mr. Forsyth to Sen. Don Manuel Gonzales Salmon, acting secretary of state, &c. &c.

MADRID, 12th August, 1819.

SIR—I received, this morning, your office of the 10th instant. Some of the expressions of the note which I had the honor to present to his majesty's government, on the 21st of June last, appear to have given offence. As you have not specified the particular phrases or expressions which are considered censurable, I can only say that it was far either from my wish or intention to treat his majesty's government with disrespect, or to use terms calculated to interrupt the harmony and good

understanding which ought to exist between it and the United States. I came here instructed by the president, and animated by the warmest wishes, to strengthen, not to weaken, the almost broken bands of amity by which the two nations are still united. I can but regret that, in my zeal to promote this great object, I have used language capable of being misunderstood. You will consider that this regret does not spring from a conviction that the construction put upon my note is just. So far from admitting this, I must insist there is nothing contained in it which, if rightly interpreted, could be deemed objectionable; and I cannot but indulge the belief that the language has been held offensive, not from its genuine and original import, but from some fatality in its application. As to the remarks you have been pleased to make that these unusual expressions were idle, (*ociosos*) not pertinent to the business in question, and not common in diplomatic communications, they are not sufficiently important to merit a distinct reply. The two first it is not the province of his majesty's government to reprove; to my own government I look for approbation or censure. There is no doubt that the pertinency of the matters referred to, will not escape its penetration. Should I be convicted of the offence of departing from the ordinary diplomatic style, I shall find abundant consolation in the consciousness of having expressed just sentiments in simple terms. The course pursued by the government of his Catholic majesty, and intended to be persisted in, as indicated by your note, is much more likely to disturb the harmony of the two nations, than the intemperate zeal of the representatives or agents of either. On the 22d of February, the convention was signed at Washington, by Mr. Adams and the chevalier de Onis. In April a copy of it was received in Spain from the messenger sent by the Spanish minister from America. It is not necessary to remind you, that the satisfaction of this government in the termination of this important business was marked by the distribution of honors in the gift of the crown, to persons very remotely connected with the transaction. What has produced the very surprising change in the opinions then entertained on this subject, is for you, sir, to explain, if you think proper, but is what I cannot imagine. On the 18th of May, immediately after my introduction to his majesty, the note of that day was delivered. It was therein stated that the treaty ratified by the United States was in Madrid, and an immediate exchange of ratifications was asked; that this important document might be sent to my government by a vessel of war bound in a short time from Cadiz to America: to this no reply was given. Under the expectation entertained from several conversations with the marquis de Casa Yrujo, the substance of which has been verbally stated to you, the vessel was detained in the port of Cadiz until the 2d of July. In this interval, the only communication received on this important subject, was your note of the 19th June, the purport of which was, that his majesty found it necessary to proceed with the deliberation and slowness demanded by its importance, to consider the subject of the treaty. On the 12th day of August his majesty's government gives notice, by your note of the 10th, of its determination—to ratify? no, sir, to send a person to Washington, possessing the confidence of the king, and having the necessary qualifications to terminate happily this affair. Can it have escaped the observation of this government, that this affair must terminate in ten days? While a failure to resolve finishes the business in a few days, this go-

vernment thinks that a definite resolution cannot be taken without first entering into various explanations with the United States, to some of which the government of the said states has given occasion. What circumstance in the history of this affair sustains the assurances that his majesty finds himself animated by the most vehement desires to preserve a good understanding with, and the friendship of, the United States? Is it the disappointment of the rational anticipation, indulged in America, that the treaty ratified by Spain would be carried there in the ship of war *Hornet*?—The determination to send a messenger to the United States for explanations, at this period, when his voyage, as it regards the convention, must be useless; and the only hope which can be entertained from it, is that a new negotiation may be commenced? A circumstance of especial weight, when it is recollected that this messenger might have been sent to Washington, the desired explanations might have been asked and given there prior to the 22d of August, if the king your master had decided promptly on this course. Or is it in the inexplicable and studious avoidance of the natural order of proceeding in a case of this kind, an application to the minister of the United States near the court of his majesty for these necessary explanations, when they might have been, possibly, long since given, and still may be given, before the period arrives when the convention of the 22d February ceases to be obligatory upon the parties to it. You will forgive me, sir, if I perceive in none of these circumstances indications of those vehement desires by which his majesty's government is animated, to establish, on a solid basis, a good understanding with the United States, to which in the usual style of diplomatic communications you refer. Since, however, I am bound and most willing to believe their existence, although the conduct of Spain has a tendency to force a different conviction upon the mind, allow me to suggest the only mode in which they can now be fully manifested and gratified. With that frankness and openness so honorable to all nations, and by which the Castilian character has been distinguished, disclose the difficulties that appear to interpose themselves to prevent the immediate conclusion of this affair. I am fully instructed by the government of my country upon the only point on which it can have given a motive for explanations, and while I cannot imagine what others are wished for, I persuade myself that I am so well possessed of its wishes and intentions as to be able to give full satisfaction to his majesty upon any part of the treaty, the elucidation of which may be desired.

I renew to you, sir, the assurances of my distinguished consideration.

[Signed] JOHN FORSYTH.

[TRANSLATION.]

Don Manuel Gonzales Salmon to Mr. Forsyth.

SIR—I have received the note you were pleased to address to me of the 12th instant, in answer to that which I had the honor to write to you on the 10th, announcing the decision which the king my master had judged proper to adopt in relation to the treaty concluded at Washington between the government of Spain and the United States.

In that note you begin by endeavoring to justify the meaning of the expressions contained in yours of the 21st June, which however appear not the less extraordinary and surprising, as I have already intimated to you. But, on this head, I refer to what I have had the honor to express to you in my said

note, by which the question will be considered as put at rest, and that on no account will it be agreeable to revive it.

I therefore proceed at once to reply to the leading object of your note; and I flatter myself that my answer will convince you, on the one hand, that the government of his Catholic majesty could not observe a course different from that which it has taken on this occasion; and, on the other, that the determination of his majesty to adopt that course, is founded upon his earnest wish, as I have already stated to you, to establish the amicable relations of both our governments upon a secure and permanent basis.

It is a fact of general notoriety, and must therefore be well known to you, that, as soon as the treaty concluded between his Catholic majesty and the government of the United States was received here, and its stipulation became known, this important subject was then taken into the most serious consideration by the king my master, as well to examine its provisions minutely, as to investigate the consequences to which it might give rise in relation to your government. From that time, this important business has almost exclusively occupied the attention of the Spanish cabinet; and it was not until after it had received the most mature deliberation, that his Catholic majesty resolved that no final decision could be taken upon it, without previously entering into various explanations and éclaircissements with the government of the United States of America.

Any other determination which might have been taken previous to this step, would have been, to say the least, precipitate, and exposed to the inconveniences which it is wished to avoid; and especially not to leave the relations of good understanding re-established between both nations liable to interpretations, but to place them on solid and stable principles, as permanent as the sincere and perfect friendship and harmony which it is desired to establish between the two governments.

The explanations and éclaircissements desired by his majesty before a definitive resolution could be taken by him on the affair in question, are not of a nature to be obtained by the means of a messenger despatched to the United States, and the answer to which could arrive here before the 22d of the present month; and still less by reason of the retreat of the minister plenipotentiary of his Catholic majesty, who, having made the treaty, and being thoroughly possessed of the whole course of the negotiation, was best qualified to demand the explanations desired. Besides, it having been the uniform wish of his Catholic majesty to proceed with all possible care and circumspection in an affair of such moment, and having thus investigated it, as I have before stated to you, this circumstance could not have given occasion for the despatch of the messenger as intimated by you.

Nor could the explanations alluded to be entered into here under existing circumstances, on account of the want of time in the short space proposed by you. His majesty has therefore resolved to appoint a confidential person to proceed to the government of the United States for the purpose of obtaining them; thereby giving a new proof of his deference for the American government, by his desire to be thoroughly informed of every thing which has passed in relation to the treaty.

It is true, that when this determination, which the king my master has been pleased to take in relation to this affair, will come to the knowledge of your government, the epocha of the 22d August

will have elapsed; but this circumstance need prove no obstacle to the obtaining the requisite explanations and éclaircissements on the treaty, as it is to be supposed that the American government would readily have afforded them at an earlier period, if the circumstances before pointed out had not prevented their being required immediately.

The communication which I had the honor to make to you on the 10th instant, and which could not have been made sooner, has been realized in due time; and certainly the government of the United States cannot fail to receive it favorably, if their desires, in conformity with those of his Catholic majesty, are directed to the auspicious object of seeing the differences which existed between both governments at once terminated, and their amicable relations consolidated upon a firm and permanent basis.

This being the sole object proposed by his Catholic majesty, he has judged that, in order to attain it, there was no mode more fit and suitable than to investigate and explain before he gave his sanction to an agreement which is to serve as a basis of the future relations between the two powers, whatever doubts and elucidations it might have given rise to. He has therefore determined to despatch to the seat of the American government a person charged with stating to it frankly and candidly the wishes of the king my master; which he flatters himself will be fully accomplished, if he is met by similar dispositions, which it appears must be the case, if your government cherish the same sentiments by which his majesty is animated.

In consequence of what I have herein stated, I trust that you will agree with me that the government of the king my master has proceeded in this affair with all prudence and circumspection; that it has not been possible for it to take a decision upon it until it had previously instituted a full investigation, without being exposed to the hazards of a precipitate determination; and, finally, that the resolution of his Catholic majesty, far from being liable to an unfavorable interpretation, is the most conducive to promote the principle connected with this affair, and the most likely to regulate in a satisfactory manner, while it, at the same time, reconciles the interests of both nations.

In this persuasion, I cannot but flatter myself that your communications to your government will accord with this sentiment, and that they will tend to remove any doubtful interpretation that it might give to the determination adopted by his Catholic majesty, and which I have already had the honor to communicate to you.

I avail myself with pleasure of this renewed occasion to offer you the assurances of my high and particular consideration. God preserve you many years.

[Signed] MANUEL GONZALES SALMON.
Palace, 19.h August, 1819.

Mr. Forsyth to Don Manuel G. Salmon.
[COPY.]

SEN. DON MANUEL GONZALES SALMON, acting first minister of state, &c &c. &c.

MADRID, August 21, 1819.

The undersigned, minister plenipotentiary of the United States near his Catholic majesty, perceives, with regret, but without surprise, from Sen. Don Manuel Gonzales Salmon's note of the 19th instant, that the determination made by the government of Spain, not to ratify the convention of the 22d February, signed at Washington, by Mr. Adams and the chevalier de Onis, will not be changed. The

undersigned will not waste his own time, nor encroach upon that of his majesty's government, by any observations on the said note, but will proceed to discharge the only duty which, on this subject, remains for him to perform. He has the honor formally to announce that, after the 22d day of the present month, as the ratifications of the convention of the 22d February will not have been exchanged, all the claims and pretensions of the United States which, with the spirit of moderation, the love of peace, and the delusive expectation, that all the causes of difference and dispute with Spain would be thereby adjusted and settled, they consented to modify or waive, will stand in the same situation as if that convention had never been made. That the United States will hold themselves free to press and enforce them in any and every mode consistent with honor that their interest may require. On the extraordinary steps taken by his majesty's government in this affair, the undersigned will not remark, lest he should forget that respect which is due to the government near which, as the representative of another, he is sent to reside. Of the rumors that prevailed on this subject, before the decision of his majesty's government was known, a decision he could not anticipate, the minister of the United States expressed himself in terms sufficiently strong. As the recent determination has proved that there was but too much truth, in what he believed to be unfounded reports and gross calumnies, the undersigned must leave it to his majesty's government, upon whom that obligation rests, to shew upon what grounds that determination is reconcilable to honor and good faith. The undersigned laments that, while communicating to his own country this unexpected result, it is not in his power to unfold the train of reasoning by which his majesty's government has been deluded into a belief that the course taken could be followed without serious injury to the reputation of Spain. The United States, after waiting more than twenty years, with a patience and forbearance unexampled, the operations of reason and justice upon the councils of Spain, will see with astonishment this new instance of her apparent disregard to both. The minister of the United States, when transmitting his correspondence with his majesty's government to his own country will not omit to state the assurances verbally given him of his Catholic majesty's earnest desire to cultivate the good will of the United States: Unfruitful professions, that cannot but produce all the effect they deserve, and all that could be rationally expected from them.

The undersigned renews to Sen. Don Manuel Gonzales Salmon the assurances of his perfect consideration and respect.

[Signed] JOHN FORSYTH.

Mr. Forsyth to the duke of San Fernando.
His excellency the duke of SAN FERNANDO and of QUINOGA, first minister of state, &c. &c.
MADRID, October 2, 1819.

SIR: The government of the United States, having been prepared to expect the possibility of a failure on the part of Spain to ratify the convention of the 22d of February last, by the extraordinary delay to decide upon this subject, and the determination of the king further to postpone that decision, as communicated in the note of Mr. Salmon to me, of the 19th of June, have instructed me, should the final decision on it by the king not be made prior to this time, to inform the government of his Catholic majesty, that, although the six months stipulated

in the treaty, within which the ratifications were to be exchanged, have expired, that the ratification of Spain, made with the explicit understanding that the large grants of land in Florida to the duke of Alagon, the count of Punon Rostro, and Mr. Vargas, and all others made under similar circumstances, are, by the eighth article of that convention, null and void, and will be so held by the United States, will be accepted as valid; and, I am authorized to receive the Spanish ratification for that of the United States: provided, this exchange shall be immediate. This exchange must take place soon enough to enable me to send the ratified treaty to the United States by captain Read, of the sloop of war Hornet, of the navy of the United States, who will remain in Madrid ten days to carry to the president the final determination of Spain on this important subject. Having received from your excellency's predecessors in office no explanation of the particular causes of the delay that has taken place, it is in my power only to explain the reasons which induce the government of the United States to insist upon an explicit understanding of the force and obligation of the eighth article of the treaty, prior to the exchange of ratifications; an understanding which will be fully shown by a declaration I am instructed to present at the time of the exchange, should it ever take place, a copy of which is enclosed. It was rumored in the United States, and, since my residence in Madrid, I have been informed that the large grantees declare that their grants are valid under the eighth article. It has been asserted, with the strongest appearances of truth, that the determination of the government of the United States to hold them void, as expressed in the letter of Mr. Adams, the secretary of state, to Mr. Onis, of the 10th of March, 1819, has been one of the chief causes of the extraordinary delay to decide upon the ratification of the instrument in Spain. It is necessary to the honor and to the interest of the United States, whose conduct to Spain, and to all nations, is governed by frankness and justice, free from fraud, artifice, and disguise, which they will never practice, nor from others submit to a disingenuous, double-dealing system of treachery, paltering with its own engagements, and spreading snares for the generous confidence of good faith, to place this subject beyond the reach of difficulty or doubt. Without knowing, therefore, the dates of the respective grants alluded to, and supposing it barely possible that there is a foundation for a pretension of the grantees under the 8th article, the government directs me to present the declaration in question, not less essential to its own interest than to the honor of the king of Spain, since his majesty would be subjected to the most unworthy imputations, if, under the circumstances, a claim should be made by his subjects, or those holding under them, founded upon the alleged validity of these grants.

To suppose that your excellency is not in possession of all the facts in relation to this subject, would be a reflection on the zeal and fidelity of the representative of Spain in the United States, which I would be unwilling to cast upon any officer of his majesty's government. I do not, therefore, send you copies of those documents, which shew explicitly that, prior and subsequent to the signature of the treaty, it was expressly understood by the negotiators of that instrument, that the eighth article, written by the Spanish minister himself, excluded these grants. In fact, when the lands of Florida were ceded, with an express stipulation that the claims of the citizens of the United States upon

Spain were to be paid out of the proceeds of the sale of them, to suppose that the Spanish government had disposed of the whole, or the greater part of them, in gifts to its subjects, and will insist upon the validity of those gifts, is to suppose it capable of an act of notorious and deliberate perfidy. The government of my country considered that the treaty became, from the moment of its signature by the chevalier de Onis, and the ratification of the United States, as binding upon the honor and good faith of the Spanish king and nation, as it would be after the ratification. Although I do not understand that this position is, or will be contested by Spain, it may not be useless to shew its strength fully to the view of your excellency. The words of his Catholic majesty, in the full power given to Mr. Onis, the original of which was delivered to the American government before the signature of the treaty, are, after authorising Mr. Onis to treat, negotiate, and conclude, a treaty, whereby past differences may be adjusted, and a firm and lasting peace established between the two governments. "Obligandonos y prometemos en fe y palabra de Rey que aprobaremos, ratificaremos, cumpliremos, y paremos observar y cumplir invariablemente quanto por vos fuere estipulado y firmado para lo qual os concedo todas las facultades y plenos poderes en la forma mas amplia que de derecho se requieren." If the usage of nations, which requires the ratification of the sovereign for the full confirmation of a treaty, could create any doubt of the import of language so unqualified and explicit, there is nothing dubious or uncertain in the extent of the obligation resting upon him, by the signature of his ministers, vested with such full powers. Upon this principle, the following quotations from Vattel and Martens are decisive authorities: "Sovereigns treat together by the agency of their attorneys or their mandatories, clothed with sufficient powers; they are commonly called plenipotentiaries. All the rules of the law of nature, concerning things performed by commission, are here applicable. The rights of the agent are defined by the authority given to him. From this he must not depart; but whatever he promises *within the terms of his commission, and according to the extent of his powers, is binding upon his constituent.*" "At this time, to avoid all danger and difficulty, princes reserve to themselves the right of ratifying that which has been concluded by their ministers in their name. The full power is merely a commission *cum libera*. If this commission were to have its full effect, it should be given with the utmost circumspection. But, as princes can be constrained to fulfil their obligations only by force of arms, the custom has arisen of relying upon their treaties only after they have sanctioned and ratified them. Whatever the minister has concluded remaining ineffectual until the ratification of the prince, there is less danger in giving him a full power. But to refuse, *with honor*, to ratify that which has been concluded in virtue of a full power, the sovereign must have strong and solid reasons for it, and *particularly he must shew that his minister transcended his instructions.*" Vattel, Book 2, Chapter 12 §155.

"Every thing that has been stipulated by an agent, in conformity to his full powers, ought to become obligatory, for the state, from the moment of signing, without even waiting for the ratification. However, not to expose a state to the errors of a single person, it is now become a general maxim, that public conventions do not become obligatory, until ratified. The motive of this custom clearly proves, that the ratification can never be refused with justice, except when he who is charged with

the negotiation, keeping within the extent of his public full powers, has gone beyond his secret instructions, and consequently rendered himself liable to punishment, or when the other party refuses to ratify." *Martens' Summary Book 2, Chapter 3.* But why should quotations be made, to prove a principle so familiar to every man, in public or private life, that what is promised in his name, by his authority, and according to his directions, is as binding in honor and conscience, as if he had pledged himself in person? The obligation of the king of Spain, therefore, in honor, and in justice, to ratify the treaty signed by his minister, is as perfect and unqualified as his royal promise in the full power, and it gives to the U. States the right, equally perfect, to compel the performance of that promise. It is well known to my government, that the Spanish government cannot allege that its minister transcended his secret instructions, or that the ratification of the United States has been refused, or that any unfair advantage was taken by the United States, in the negotiation, or that Spain was not well aware, before hand, of the full extent of the engagements contracted by Mr. Onis. It is too well known to be denied, that the last instructions of Mr. Onis, authorised him to concede much more than he did. The government of the U. States, indeed, considered the generosity and moderation of the terms to which they had acceded, as a pledge that they would be received, by H. C. M. and his royal council, with pride and joy. If, from the unexpected extent of the sacrifices the United States made for the purposes of conciliation, the conclusion has been drawn, that their conciliatory temper may be trifled with and abused, it is just and proper that Spain should be effectually undeceived. I am, therefore, instructed further to inform your excellency, that if the ratified copy of the treaty should not arrive in the United States before the first day on which the congress of the United States meets, the president will lay before that body all the transactions relating to the treaty, and such measures will be adopted by the competent authority, as the exigency of the case may require. Whatever may be determined upon, Spain will be responsible to the United States for all damages and expenses which may arise from the delay to ratify, and from the measures to which the United States may resort, to give efficacy to their rights, and that for the indemnities to which they will be justly entitled, by this violation of faith. By Spain, the United States will look to the territory west of their present western boundary, on the Gulf of Mexico.

To this proposal, made in the spirit of moderation, of generous forbearance, and with the earnest desire of sincere amity with Spain, I am instructed to require an immediate, explicit, and unequivocal reply. Should this reply not be made before the tenth of the current month, I give formal notice to your excellency, that the proposal will be considered as rejected, and the proper communication will be made to the president of the United States.

I renew to your excellency, whom may God preserve, the assurances of my distinguished consideration.

[Signed] JOHN FORSYTH.

[TRANSLATION.]

The duke of San Fernando and Quiroga to Mr. Forsyth.

To the minister plenipotentiary of the United States of America.

SIR: Having had the honor to lay before the king, my master, the contents of the note which

you addressed to me on the 2d instant, his majesty, whose justice and impartiality are so universally known, having examined the principal points embraced therein, has commanded me to answer you as follows:

The official communication addressed to you by don Manuel Gonzales Salmon might exempt me, it would seem, from all further discussion of the subject in question; inasmuch as his majesty, actuated as well by the claims of his honor and duty as by a uniform spirit of justice and conciliation towards the United States, and pursuing the example of his august predecessors, who, at an early period, and to promote the very establishment of the American government, gave such abundant proofs of similar dispositions, has determined, upon mature reflection and deliberation, to send a minister to that government, who, after requiring and giving the necessary explanations, might terminate this affair; and, as neither the actual state of the question, nor what you have been pleased to communicate to me, presents any motive for changing a resolution so deliberate and so just, and which the honor of his majesty also forbids, there appears to be a still more urgent motive to confirm it.

With this answer I might leave you completely satisfied; but I especially take leave, with the permission of the king, my lord, to reply to some of the points treated of in your note, with the brevity and precision which characterize me; and because you state that you have not yet received an explanation of the delay in ratifying the treaty, and attribute it to the difficulties arising out of its eighth article. You will permit me to remark to you, that this delay does not manifest that want of good faith, or the artifice which is indirectly insinuated; it is rather the declaration now demanded by you, and previously announced by your government, after having signed and ratified the treaty; a declaration which, by annulling one of its most clear, express, and conclusive articles, seemed much more likely to give room for a similar charge, in opposition to yours.

If your government, as you are pleased to state to me, really believed that the treaty, from the moment it was signed, became equally obligatory on Spain as it was on the United States, under whose immediate inspection it was formed, signed, and ratified, you will permit me to remark, that, whether we consider that point, or weigh the authority of authors, cited by you in support of your opinion, the deductions from them, and the weight of many others I now forbear to adduce, as it might seem to offend your illustration, militate against you. But even fancying them for a moment, without ever admitting them, the very authorities which you deem conclusive, in relation to a treaty, signed, but not ratified, are opposed to you, or require, still more forcibly, that an agreement, concluded, signed, and solemnly ratified, as the present one has been by your government, should be subjected to a due investigation. And if, notwithstanding this, declarations are required, at the moment of its solemn conclusion, and before its ratification by the other party, which totally annul one of its most clear, precise, and conclusive articles, without the sanction of a secret agreement authorizing the same, how should it appear strange, that his majesty, while yet unfettered by its stipulations, might and should demand explanations, rendered necessary by so unlooked for a proceeding? In the transaction of settlements, or agreements, between nation and nation, the solemn act which consummates them, namely, the ratification, would become

wholly illusory, if the principles, which it is now, in vain, attempted to establish, were to be admitted. I again repeat, that the very authorities cited by you, literally declare, as I have already remarked, that the sovereign, for strong and solid reasons, or if his minister has exceeded his instructions, may refuse his ratification, [*Vattel, Lib. 2. chap. 12.*] and that public treaties are not obligatory until ratified. [*Martens, Lib. 2, chap. 3. See note.*]

No less erroneous, and even unprecedented, is the judgment, or consequence, you draw from the instructions, which you suppose to have been given to his majesty's minister, for the conclusion of this treaty. Truly, it would be the first time that a diplomatic communication, professing to be thoroughly and minutely acquainted with these instructions, should cite them as being perfectly well known. The respect due to the king's negotiators will not, for a moment, allow me to believe they have failed in their obligations, by violating secrecy; nor will the high consideration I entertain for your government permit me to think it capable of having employed the oblique and vicious means that such information must imply; it is, therefore, wholly impossible for me to admit your assertion on this point.

But, dismissing so unpleasant a discussion, and desiring to express to you anew the spirit of conciliation and friendship which prompts the king my master to put an end to these differences, as I declared to you in the beginning of this note, I am enabled to assure you, that it is a subject of great regret to his majesty, that such weighty considerations should have hitherto obliged him to defer the ratification of the treaty concluded by his minister to the federal government. These considerations, already stated by don Manuel Gonzales Salmon, on communicating to you his majesty's determination, acquire additional force when we find that intelligence has been received, through the medium of general information, newspapers, and correspondence, that an expedition directed against the province of Texas has been tolerated or protected, and other acts committed, within the limited, but unexpired term, assigned for the ratification, which, as you will be duly informed, have justly called for the remonstrances of his majesty's chargé d'affaires to your government. Notwithstanding his majesty has uniformly evinced a desire to maintain a perfect union and amity with the American government, yet, to render these stable and permanent between two nations, who, under favor of a state of amity, are endeavoring to settle their differences, it is necessary they should be based upon reciprocal utility and confidence. In the indulgence of these noble and generous sentiments, his majesty confidently looks to the attainment of this desirable result. This was the object of the treaty, an object unfortunately not attained, notwithstanding the enormous sacrifices which the king, my master, condescended to make. In these feelings and dispositions, his majesty still perseveres, by adopting a measure judged indispensable: that of sending to the government of the United States, as will promptly be done, a person possessing his entire confidence, and who, by smoothing the obstacles, or removing the difficulties, which have hitherto opposed the accomplishment of his beneficent intentions, may fully convince the federal government of the frankness and loyalty, as well as of the honor and dignity which it is his majesty's desire to maintain in his relations of amity and union with that government.

Whereupon, I renew to you my sincere respects, and I pray God to preserve you many years.—Palace, October 8, 1819.

[Signed]

The duke of SAN FERNANDO and QUIROGA,

No. 3.

Extracts of a letter from Mr. Rush to the secretary of state, dated London, 13th September, 1819.

"Since my second despatch, written on the fourth of this month, I have had an opportunity of seeing lord Castlereagh. I gladly took advantage of it to introduce, as an immediate topic, the important subject to which that despatch related.

"I remarked, that it appeared, after all, that our treaty at Madrid was not ratified. "Why, so it seems," replied his lordship. "Our inclinations, however, as I trust you must be satisfied, after what has passed between us, would have pointed to a different issue; and I can only add my wish that it had been different." He then said, that, from sir Henry Wellesley's communications, he was led to infer, that the refusal to ratify had not been absolute, but that the government of Spain merely desired further explanations. I replied, that Mr. Forsyth had, I was sure, tendered every necessary explanation; but it had not been listened to."

"What the pretexts of Spain may have been for this fresh act of injustice and procrastination, I am not, in the slightest degree, informed. A copy of the provisions of the treaty itself, I have never seen. But it occurs to me, at this juncture, to say, what may seem superfluous, but what the importance which the subject now assumes, at all points, prompts me to bring into view, namely, that I learned, through undoubted sources, that Mr. Onis, when here, affirmed, in the most unequivocal manner, that, in signing the treaty, he stood strictly and fully justified by his instructions."

Extract of a letter from Mr. Rush to Mr. Adams, giving the substance of a conversation with lord Castlereagh.

LONDON, SEPTEMBER 17th, 1819.

"His lordship (Castlereagh) took this occasion to advert to the subject of the Floridas. It was for the first time, without some previous invitation on my part, and I witnessed, with a proportionate satisfaction, his spontaneous approach to it. He did so, as I soon saw, in order to enforce, by corroborations, his former communications to me. He took from his table a packet of sir Henry Wellesley's despatches from Madrid. From two of these he read passages going to show that that ambassador had made known to the Spanish cabinet the wishes of the British court that the ratification of the treaty should take place. One of the despatches was dated on the sixth of June, the other on the 6th of July. They both imported a belief, founded on the state of things then existing, that the treaty would be ratified. His lordship also read to me a passage from one of his own despatches to sir Henry, in which an unequivocal opinion was expressed, that the true interests of Spain would be best promoted by a ratification. I think that this despatch was dated on the twenty-first of July.

"He asked me if I had heard, during the summer, of an intended visit of a "Mr. Toledo" to London. I replied that I had. He said that he had too, but that he had never arrived. The Spanish government knew too well the opinions of this, to imagine that the propositions with which Tolédo was said to have been charged, could ever be countenanced.

These, he continued, were, to ask a loan of money to pay the claims recognized by the treaty, and also to enquire if Great Britain would consent to make common cause with Spain, in the event of a rupture between the latter and the United States. His lordship then distinctly stated, that the willingness of the British court to accede to our coming to the possession of the Floridas, might be inferred from the indirect offer which it had made, two years ago, to mediate between the United States and Spain, which we had declined. This offer, he observed, was made on the natural supposition that the cession of those provinces to us would have formed the basis of the negotiation, and to such a basis Britain was prepared at that time to assent."

¶ So far as time has been allowed to test the experiment, the proposal to increase the quantity of matter in the REGISTER, on an increase of its subscription list to furnish the means for it, will probably be productive of material good to the editor and the friends of this work. If every subscriber were to furnish an additional one, we should have the ability, as well as the will, to expend much more money in gratuitous supplements than it is now possible for us to do—and cheapen the Register nearly one-fourth, the price being compared with the quantity of matter given.

Different from most other publishers in the extent of our range and perseverance in necessary record, we are *always* in want of room—but especially so in the winter season, when the congress of the United States and the state legislatures generally, are in session.

To give some idea of the volume of matter at this time laid off for insertion, we shall recapitulate a few of the things that are *immediately* before us:

The documents accompanying the annual report of the secretary of the treasury; a statement of the exports of the United States, for the year 1819; an explanatory letter from the secretary of the navy, of the expenditures of appropriations for the service of the year, and sundry other papers of less magnitude,

The messages of the governors of the states of Pennsylvania, Virginia, North Carolina, South Carolina, Kentucky, Ohio and Alabama, to which we shall soon have to add several others—with various papers shewing the state of the finances and progress and prospect of improvement, &c. &c. in some of them.

The constitution, &c. of Maine.

Eight or ten law cases, important in themselves and generally interesting.

"The proceedings of a convention of the friends of national industry, assembled at New-York," in November last, with sundry other things of like character.

Two or three memorials against the introduction of slavery in the proposed state of Missouri—and some articles in favor of it.

A sketch of the principal features of the bankrupt bill, reported to a former congress by Messrs. Hopkinson and Webster.

A report to the British parliament on weights and measures.

An interesting article on the liability for duties, &c.

Copious extracts from maj. gen. Brown's excellent address to the agricultural society of Jefferson county, N. Y.

Several memorials to congress, of the merchants and others, on different matters of importance.

The proceedings of the general assembly of Nova Scotia, on commerce and the fisheries.

A formidable quantity of minor articles, none of which we shall consent to leave out, if we can avoid it.

Together with—

About as much manuscript, chiefly of our own make, wholly or partially prepared for the press, on several of the leading subjects to which the public mind is now directed, as will, of itself, fill about two sheets of the REGISTER!

All these, besides the current journal of the proceedings of congress, and of events, foreign and domestic!!

To editors and others. It is always gratifying to the editor of the REGISTER to see articles from his work copied into other papers, when the common courtesy of giving credit for them is observed; but he regrets that it not unfrequently happens, that articles are extracted, or referred to, in which opinions are advocated not agreeable to those held by him, and yet so noticed as to be made to appear as his own. For examples, and all occurring as it were at the same time,—1. The writer who under the signature of an "American," lately gave the *Edinburgh Reviewers* a well-deserved dressing in the *National Intelligencer*, when speaking of the scheme for colonizing the blacks, referred to this work for an estimate of the cost that would attend the operation; 2. the *Louisville Advertiser* of the 27th ult. gives the REGISTER credit for an essay in favor of a "paper system," as though it were written by the editor himself; and 3, in a well written article in the *Richmond Enquirer* of the 11th inst. proposing an issue of treasury notes, our efforts in favor of those that were issued *during the war*, are very handsomely referred to, as if to support a project for issuing them now.

As to the first of these—the estimate was *copied* into the REGISTER, not as being correct, but simply to afford an idea of the cost that would attend the colonization scheme, if carried into operation, and to prevent a diversion of the minds of the people from a due consideration of a most important concern, by what we sincerely regret to believe is an impracticable project. The second, was from the pen of a much respected friend, whose doctrine we opposed at the time of inserting his essay. As to the third, we did most fervently support the issue of treasury notes during the war, and we have to thank the writer in the "Enquirer" for his polite reference to the fact—but, *tempora mutantur*.

It may seem to some that these things are hardly worth remark—we think differently. It has been our fortune to present a great portion of statistical matter and many things of calculation, to the public, and the responsibility for our own articles of these descriptions, is quite sufficient for us. In respect to a paper currency, except as based on a specie capital and convertible into money without loss, we are decidedly opposed to it at this time, and ever shall be, until our country is thoroughly purged of swindling banks. The work is going on rapidly—with great distress to individuals it is true, but pressing upon no person more severely than on ourselves,—still the people in general, are rather content to bear with present ills, which must terminate in permanent good, than arrest the progress of repentance and reformation, by affording to such banks any facilities to continue the war against productive industry; and, if "one rag is permitted to pay another rag," the fact appears evident, that we shall have new linterings of banks and another deluge of paper. It is true, we advocated the issue of treasury notes during the war, as we did every

other measure calculated to give force against the enemy and beat him. All these notes have been retired, as we said that they would be,—they answered a good purpose in a time of need, and have passed away. In a like emergency, we shall willingly resort to them again for temporary relief—but, with the capitol again in desolation by Gothic hands, would reject them, if presented as a part of a permanent system of finance or standard of value.

We shall soon say more on this subject, and undertake to demonstrate that the present pressure for money is not caused by a real scarcity of it, but by reason of the want of employment for labor at home, and a market that will receive our surplus productions abroad. There is now, comparatively speaking, no demand for money, except to pay old debts, or meet our common current expenses. No one, as it were, invests money in anything to make money, unless as a *speculator*. This is clearly proved by the fact that the United States' *six per cent.* stocks are above par. If money was really scarce they would be below it. Those who have cash on hand and are averse from speculation, know not what to do with it, whereby it might have *circulation*. It is this that affects the plentifulness or scarcity of money, as the phrases are used. Suppose, that by some events in Europe, our flour was to rise to \$15 *per barrel*, tobacco to as much *per cwt.* cotton to 35 cents *per lb.* and a day's labor to \$2—how long would money be "scarce?" Not 24 hours in our cities and large towns, nor three weeks in any part of the United States—even the most remote, if the news of such events were received there.

¶ Since the preceding was written, we observe that the editors of the National Intelligencer have given up two columns and a half of their useful paper, to a letter addressed by some madman signing 'William Thornton,' to Mr. Monroe, recommending the issue of *one hundred millions of paper money!* He would rather exceed, than fall short of that sum!!!

Our affairs with Spain.

In the round of our editorial duties, like a horse in a mill, and with almost as much insensibility except occasional flashes of indignant impatience—we have tugged through several long series of documents touching our affairs with Spain. We have made an exertion, we hope to conclude the last book that will ever be written as to past transactions between that country and this.

Oftentimes when looking at the volumes of words, with rueful reflections on the quantity of dull matter which it was our *business* to insert in the REGISTER, we have remembered a circumstance that took place about seventeen years ago, and which also will amuse some of our readers, on calling the *particulars* of the case to their recollection.

A certain person, of considerable wealth and pretty high standing in society, abused another on a public occasion, by heaping upon him the most opprobrious epithets. Both of them were old men, not less than sixty years of age. The person abused mildly remonstrated in the onset of the quarrel, and endeavored to shew the error of the other, who indeed, was grossly in the wrong, in every respect—but this availing nothing, he refused to "return railing for railing," and retired as soon as he could. But in the evening, he consulted an old friend, a distinguished officer in the revolution, on the matter, and it was agreed to call the abuser to an account by a challenge to single combat! When this was done, it was replied to by eight or ten pages of

closely written matter. The bearer of the challenge lustily declared that, in a case like this, *he* himself would rather fight than read so much stuff, and expected that his friend was of the same determination: Still, he was prevailed upon to bear the manuscript, protesting against it, however, and intimating that another visit might be looked for, as soon as he could carry it to his friend and return. The ponderous volume made the injured man lay down his segar and open his eyes in astonishment: with familiar reproach, he called the old officer an awkward fellow for bringing such a bundle, and desired that he would carry it back again immediately and unread. The second felt that the other acted as he himself would have done, and sat out on his journey of several miles, nearly ready to find fault with the man that first invented writing! When he arrived at the place of his destination, he told the challenged the result of his "fool's errand," and said he would not leave the house again without getting something that he could *understand*. Another essay of three pages was prepared, and peremptorily refused—a third, of one long page, and in like manner rejected. Terrible trepidation followed; and finally, the second was himself required to put down something that "would do." He did so—he wrote two or three lines, which the other in great agitation signed. It was an apology as humiliating as the conduct which gave rise to it had been outrageous—and so the matter ended, in the triumph of one and deserved shame of the other.

We have not any wish for war, public or private—but do hope that a very little space will hold all the future documents belonging to our old affairs with Spain. If it is not deemed expedient just now, either to take possession of the Floridas, without a declaration of war against Spain, or to declare war and take possession, as well as strike at other vulnerable points of the enemy—our wish is, that the government of the United States should say to that of Spain, in the most brief manner possible, we will *talk* no longer about the injuries we have suffered, but redress them for ourselves in our own way and at any time we think proper. We shall take care that the Floridas do not pass into other hands, and we have good securities for ultimate indemnity in your neighboring possessions.

On the documents themselves, these remarks naturally occur—that our government acted with proper caution in ascertaining the powers delegated to Don Onís, before the negotiation for the Floridas was entered into; that, as to the lands ceded to the duke of Alagon and others, it was perfectly understood that whatever was the date of these sweeping grants, they were not to be sanctioned by the treaty—Mr. de Neuville's letter in this respect is very decisive; and, the whole goes to shew that the Spanish government, having shuffled to the end of shuffling, resorted to a violation of good faith to prevent the performance of an act of justice, in doing which they would decisively have been the gainers—for the fact is notorious to all men that the Floridas are an incumbrance to Spain.

The precision and dignity with which the affair has been managed by the secretary of state, merits the highest approbation. Every contingency seems to have been viewed with uncommon care, except that which he could not have foreseen, or, if apprehended, which he could not prevent, the non-ratification of the treaty. But we think that Mr. Forsyth might have expressed himself much more to the point by using a language and manner much less objectionable. He has not been half so severe

on the Spanish government as circumstances justified—yet so managed the matter, as to suffer the phlegmatic don Salmon to put him on the *defensive* and obtain a negative victory over him.

Our forms of Government.

The people of every state and country, we apprehend, are decidedly opposed to any change in their respective forms of government, unless found to be radically wrong, or practically defective, in essential particulars. They will rather bear with partial evils than alter their *modes* of government, much less jeopardize their principle; and in the free governments of the United States, we know the fact that changes are less frequently made in our constitutions, when the proposed change is submitted to the people, than if left to the discretion of our ordinary legislative bodies. There is no doubt of the truth of this—the citizens of several states, New Jersey, Ohio and Tennessee, for example, at their last elections, had the question presented to them whether they would call conventions or not, and they almost unanimously decided against any such call; whereas, in Maryland, wherein the constitution may be changed by acts of successive legislatures, we have amendment patched to amendment so that, like an old garment, we can hardly discover the original at all!

Always pleased to notice the operation of any principle which tends to afford practical proof of the sublime republican maxim, *that the people are best entrusted with the management of their own concerns* (which too many among us, leaning to imported notions, doubt), we could not feel freedom to pass over these things without remark. And we take it for granted, that when the body of the people—the yeomanry of a country, are opposed to any system of government, it is time that that system was changed; their *will* affording the proof that it has failed of the great purposes for which all governments were instituted amongst men. And especially so, if, as in England, the change is called for by the *laboring classes*, and opposed by the filthiness of an *established church*, the king, and the silly and degraded things which compose what is called the nobility. An opposition by them is positive proof to our mind that the people are right; just as much so as we should expect Sin to be arrayed against Righteousness.

Lands sold for Taxes.

Railway, (N. J.) Nov. 30th, 1819.

MR. H. NILES.

Dear sir—The very complimentary manner in which you have been pleased to notice in your last REGISTER, the circumstance of my permitting the redemption of estates sold for direct taxes, and purchased by me, is perhaps more than I deserve. It is however, the fact, that I have invariably permitted the redemption of any that were purchased by me, on repayment of actual cost and expenses.

Such however, is the apathy and indifference of the former owners of these estates, that out of thirty three purchased by me at the sales of 1816, and 1817, valued at more than 40,000 dollars, about ten only have been redeemed, altho' soon after purchasing, I gave notice in three different papers that I had purchased such properties (naming the then owners, or persons in whose names they had been assessed,) and solicited the owners to redeem them, free of cost, charges, or interest on the money advanced.

To secure myself from eventual loss, I am compelled to receive titles from the collector, or district clerk, and put them on record.—This will doubtless be done by purchasers invariably throughout the U. States; and however well disposed the purchasers or present holders of titles may be to permit an equitable redemption, a little while hence and by change of ownership, it may not be optional with those who have charge of the property, to permit its redemption on any terms whatever.

I foresee that much loss of property to the former owners, great uncertainty of titles, and many expensive law-suits, will necessarily grow out of the numerous sales that were made of real estates in those states that did not assume the payment of the direct taxes, and would earnestly recommend to all concerned, that they, as soon as possible, obtain settlements upon such terms, as are equitable and just.

In many cases that have come to my knowledge, the sales were of property for which one person held the deed, another a mortgage or judgment; of property already in dispute between different claimants, or belonging to minors, or absent proprietors; some cases are of property twice assessed, first in the name of the present owner, and again in the name of some former proprietors; and some sales have no doubt been made of property on which the taxes have been paid, but not marked as paid in the books of the collector. All these call for the most reasonable and equitable compromise, for something beyond what the law has provided, or could provide for.

Perhaps it would be well, and I suggest it for consideration, that the United States publish at their expense, a list of all the properties that may remain unredeemed on the first of January next, one paper in each state containing a list for each state; the list giving the name of the township and county where situated, in whose name assessed, valuation, and date of sale: A notice of this kind, would, no doubt, much more excite the attention of those concerned, than any partial notice of the collectors in their respective districts.

Your's, respectfully,

ROBERT LEE.

Foreign Ministers and Agents.

List of the gentlemen who compose the respective foreign diplomatic missions to the United States.

SPAIN.

Don Mateo de la Serna—Charge d'affaires.

Mr. Stoughton—Attached to the legation.

Mr. Pizarro—Attached to the legation.

GREAT BRITAIN.

Mr. Antrobus—Charge d'affaires.

Mr. Passmore—Attached to the legation

FRANCE.

Mr. Hyde de Neuville—envoy extraordinary and minister plenipotentiary.

Mr. Demun—Attached to the legation.

Mr. Thierry—Attached to the legation.

Mr. Hersant—Private secretary.

RUSSIA.

Mr. Poletica—Envoy extraordinary and minister plenipotentiary.

Mr. Ellison—Counsellor of legation.

Mr. Lomonosoff—Secretary of legation.

PORTUGAL.

Mr. Correa de Serra—Envoy extraordinary and minister plenipotentiary.

Mr. Amado—Secretary of legation.

DENMARK.

Mr. Pedersen—Minister resident.

PRUSSIA.

Mr. Greuhm—Minister resident.

NETHERLANDS.

The Viscount de Quabeck—Charge d'affaires.

SWEDEN.

Baron de Stackleberg—Charge d'affaires.

CONGRESS.

IN THE SENATE.

December 16.—Mr. Stokes, from North Carolina, attended and took his seat yesterday.

The senate proceeded to the appointment of its several standing committees, by ballot, of which the appointment of the following gentlemen was the result:

On Foreign Relations—Messrs. Brown, Hunter, Macon, Barbour, Walker, of Geo.

On Finance—Messrs. Sanford, Macon, Dana, Eaton, Logan.

On Commerce and Manufactures—Messrs. Sanford, Dickerson, Horsey, Ruggles, Burrill.

On Military Affairs—Messrs. Williams, of Tenn. Trumble, Taylor, Tichenor, Elliot.

On Naval Affairs—Messrs. Pleasants, Parrott, Gaillard, Walker, of Alabama, Williams, of Miss.

On the Militia—Messrs. Noble, Stokes, Tichenor, Walker, of Alab. Lanman.

On the Judiciary—Messrs. Smith, Leake, Burrill, Logan, Otis.

On Public Lands—Messrs. Williams, Miss. Taylor, Thomas, Lowrie, Hunter.

On Claims—Messrs. Roberts, Wilson, Morrill, Ruggles, Van Dyke.

On Pensions—Messrs. Van Dyke, Noble, Elliot, Eaton, Wilson.

On the Post Office and Post Roads—Messrs. Stokes, Wilson, Palmer, Edwards, Mellen.

On the District of Columbia—Messrs. Horsey, Hunter, Pleasants, Lanman, Otis.

The following committee was also appointed pursuant to an order of this day:

On the Public Buildings—Messrs. Roberts, Gaillard, Mellen, Burrill, Lanman.

Mr. Morrill offered for consideration the following resolve:

Resolved, That the committee on pensions be directed to enquire into the expediency of reviving the act of 1816, entitled "an act to provide for persons who were disabled by known wounds received in the revolutionary war," which expired at the close of the last session of congress.

Mr. Dickerson offered for consideration the following resolution:

Resolved, That the committee on finance be instructed to enquire into the expediency of so far altering the laws for appointing collectors of the customs of the United States, district attorneys of the United States, and receivers of public moneys for lands of the United States, surveyors of the public lands, registers and such other officers as they may think proper, as to have those officers respectively appointed for limited periods, subject to removal as heretofore. [Agreed to on Monday.]

December 20.—Among the petitions presented this day was one from the manufacturers of copperas, praying for protection—and one from the Farmers' bank and Union bank of Alexandria, requesting a consolidation of their capitals into one bank.

Leave was given to introduce a bill to establish a circuit court in the district of Maine.

Two messages, in writing, were received from the president of the United States, by Mr. J. J. Monroe, his secretary, [the same as the messages noticed below, in the proceedings of the other house] which were read.

[The other business transacted has already been sufficiently indicated for the present, or will appear in the future proceedings—not being immediately important.]

Mr. Leake, of Mississippi, laid upon the table the following motion:

Resolved, That the committee on public lands be instructed to enquire into the expediency of so altering the laws concerning the sale of public lands, as to divide the sections and fractions of sections into half quarter sections. And also, were lands have reverted to the United States for non-payment, to direct the sale thereof again at public auction, upon the terms and conditions of all other public sales. And also, that, from and after that the—day of—credit shall not be given on sales of public land, but the same shall be sold for money only.

Mr. Sanford, from the committee of commerce and manufactures, made a detailed and elaborate report on the official statements which had heretofore been made of the commerce of the United States, with foreign countries, and the provisions which are requisite for obtaining complete and accurate statistical accounts of the foreign commerce of the United States, accompanied by a bill to provide for obtaining accurate statements on that subject; which report and bill were read, and the latter passed to a second reading.

December 21.—Mr. Noble submitted for consideration the following resolution:

Resolved, That the committee on public lands be instructed to enquire in the expediency of continuing in force the act entitled "an act to suspend, for a limited time, the sale or forfeiture of lands for failure in completing the payments thereon," until the 31st March, 1822.

The senate resumed the consideration of the motion for instructing the committee on public lands to enquire into the expediency of altering the laws concerning the sale of public land, and agreed thereto.

A bill for establishing a circuit court in Maine, and to subscribe for a certain number of copies of Binns' Declaration of Independence, were among those read a second time.

HOUSE OF REPRESENTATIVES.

Thursday, Dec. 16.—Mr. Ervin, of S. C. appeared yesterday, and Mr. Meech, of Vt. and Mr. Hall, of Del. this day, and took their seats.

Mr. Sergeant, from the committee on the judiciary, reported a bill for establishing an uniform system of bankruptcy throughout the United States; which was twice read and committed.

On motion of Mr. Tyler, the house proceeded to the consideration of the report of the committee of claims unfavorable to the petition of Samuel G. Adams.

Mr. T. moved to reverse the report, and direct the committee of claims to report a bill for his relief.

[The case is substantially this: S. G. Adams was commander of a detachment of militia during the late war; and, on their being discharged, he, as agent for those under his command, the paymaster being without funds, received his due-bill for the amount, and gave a receipt on the pay-roll. For the payment of this bill he applies to congress. The committee report, that the responsibility for the

amount of the pay had, by the transaction above described, been transferred from the government to the individual who was the paymaster, and who gave the bill—and that, therefore, the prayer of the petitioner is not reasonable, and ought not to be granted.]

This matter, as establishing a principle, excited considerable interest. On the one hand it was contended that the United States were bound to make good the act of the paymaster, as their agent—on the other, that the receipt of the due bill made a new contract, and that, if government were rendered liable for such things, frauds would be endless. The report of the committee of claims was concurred in.

The engrossed bill for the relief of John Gooding and J. Williams was read a third time. [This bill proposes to allow to these persons twenty-two hundred dollars, (under the act allowing one hundred dollars for each prisoner brought into port, during the late war, by privateers) for twenty-two slaves so brought in, and receipted for by the marshal of the district where the vessel arrived.] The bill was opposed by Mr. Trimble, of Ky. and supported by Mr. Smith, of Md.—and was rejected.

Friday, Dec. 17.—The speaker laid before the house a letter from the secretary of the treasury, transmitting a statement of exports from the United States during one year, ending on the 30th Sept. 1819; and also a letter from the commissioner of the revenue, transmitting the annual statement of the proceeds of the direct tax and internal duties, &c. &c.

Mr. Rich, of Vt. offered for consideration the following resolution:

Resolved, That the committee of claims be instructed to prepare and report a bill providing for the distribution of a sum of money among such of the citizens of the United States as lost their property in consequence of the general conflagration by the enemy on the Niagara frontier during the late war.

The resolution was ordered to lie on the table.

On motion of Mr. Whitman, it was

Resolved, That the secretary of war be directed to report to this house a statement of the expense of furnishing the army of the United States with rations for the term of one year, ending on the 14th of April, 1818, exhibiting the average cost per ration; and also of the expense of furnishing the army with rations, exhibiting also the average cost per ration, for the term of one year, under the provisions of the law, passed on the 14th of April, 1818, entitled "an act to regulate the staff of the army."

On motion of Mr. Ross, of Ohio, it was

Resolved, That the committee on public lands be instructed to enquire into the expediency of providing by law for the future sale of public lands in half-quarter sections; and of the propriety of reducing the present price.

On motion of Mr. Robertson, of Ky. it was

Resolved, That the committee on public lands be, and they are hereby, instructed to enquire into the expediency of so altering the laws regulating the sales of the vacant lands of the United States, that, from and after the — day of —, no credit shall be given thereon, and a less quantity may be purchased, and at a less price, than is authorised by the existing laws.

On motion of Mr. Woodbridge, it was

Resolved, That the committee on public lands be instructed to enquire in the expediency of providing by law for the final adjustment of the ancient titles to land within the territory of Michigan.

Monday, Dec. 21.—Numerous petitions were presented this morning, and referred in course; among them were several from different northern towns, praying additional encouragement and protection for domestic manufactures, one of which, that from the "convention of friends of national industry, assembled at New-York," was, by a close vote, ordered to be printed. There were also several from commercial sections of the country, praying the enactment of a general system of bankruptcy.

[Sundry bills were reported that do not require present notice.]

The following message was received from the president of the United States, by the hands of Mr. J. J. Monroe, his secretary.

To the senate and the house of representatives of the United States.

Some doubt being entertained respecting the true intent and meaning of the act of the last session, entitled "an act in addition to the acts prohibiting the slave trade," as to the duties of the agents to be appointed, on the coast of Africa, I think it proper to state the interpretation which has been given of the act, and the measures adopted to carry it into effect, that congress may, should it be deemed advisable, amend the same, before further proceedings are had under it.

The obligation to instruct the commanders of all our armed vessels to seize and bring into port all ships or vessels of the United States, wheresoever found, having on board any negro, mulatto, or person of color, in violation of former acts for the suppression of the slave trade, being imperative, was executed without delay. No seizures have yet been made, but as they were contemplated by the law and might be presumed, it seemed proper to make the necessary regulations applicable to such seizures, for carrying the several provisions of the act into effect.

It is enjoined on the executive to cause all negroes, mulattoes, or persons of color, who may be taken under the act, to be removed to Africa. It is the obvious import of the law, that none of the persons thus taken should remain within the United States; and no place other than the coast of Africa being designated, their removal or delivery, whether carried from the United States or landed immediately from the vessels in which they were taken, was supposed to be confined to that coast. No settlement or station being specified, the whole coast was thought to be left open for the selection of a proper place, at which the persons thus taken should be delivered. The executive is authorised to appoint one or more agents, residing there to receive such persons, and one hundred thousand dollars are appropriated for the general purposes of the law.

On due consideration of the several sections of the act, and of its humane policy, it was supposed to be the intention of congress, that all the persons above described, who might be taken under it and landed in Africa, should be aided in their return to their former homes, or in their establishment at or near the place where landed. Some shelter and food would be necessary for them there, as soon as landed, let their subsequent disposition be what it might. Should they be landed without such provision having been previously made, they must perish. It was supposed, by the authority given to the executive to appoint agents residing on that

*For a satisfactory abstract of the law alluded to, see supplement to vol. XV, Weekly Register, page, 151.

coast, that they should provide such shelter and food, and perform the other beneficent and charitable offices contemplated by the act. The coast of Africa having been little explored, and no person residing there, who possessed the requisite qualifications to entitle them to the trust, being known to the executive, to none such could it be committed. It was believed that citizens only, who would go hence, well instructed in the views of their government, and zealous to give them effect, would be competent to these duties, and that it was not the intention of the law to preclude their appointment. It was obvious that the fewer these persons should be detained in the United States, in the hands of the marshals, the greater would be the expense, and that for the same term would the main purpose of the law be suspended. It seemed, therefore, to be incumbent on me to make the necessary arrangements for carrying this act into effect in Africa, in time to meet the delivery of any persons who might be taken by our public vessels, and landed there under it.

On this view of the policy and sanctions of the law, it has been decided to send a public ship to the coast of Africa, with two such agents, who will take with them tools and other implements necessary for the purpose above mentioned. To each of these agents a small salary has been allowed.—1300 dollars to the principal, and 1200 to the other. All our public agents on the coast of Africa receive salaries for their services, and it was understood that none of our citizens, possessing the requisite qualifications, would accept these trusts, by which they would be confined to parts the least frequented and civilized, without a reasonable compensation. Such allowance, therefore, seemed to be indispensable to the execution of the act.

It is intended also to subject a portion of the sum appropriated, to the order of the principal agent, for the special objects above stated, amounting in the whole, including the salary of the agents for one year, to rather less than one-third of the appropriation. Special instructions will be given to these agents, defining, in precise terms, their duties in regard to the persons thus delivered to them; the disbursement of the money by the principal agent; and his accountability for the same. They will also have power to select the most suitable place on the coast of Africa, at which all persons who may be taken under this act, shall be delivered to them, with an express injunction to exercise no power founded on the principle of colonization, or other power than that of performing the benevolent offices above recited, by the permission and sanction of the existing government, under which they may establish themselves. Orders will be given to the commander of the public ship, in which they will sail, to cruise along the coast, to give the more complete effect to the principal object of the act.

JAMES MONROE.

Washington, Dec. 17th. 1819.

The message was read, and, on motion of Mr. Lincoln, referred to the committee on the slave trade, and ordered to be printed.

The following message was also received from the president of the United States:

To the senate and house of representatives of the United States:

In compliance with a resolution of congress, of 27th March, 1818, the journal, acts, and proceedings of the convention which formed the present constitution of the United States, have been published. The resolution directs that one thousand copies should be printed, of which one copy should

be furnished to each member of the fifteen congress and the residue to be subject to the future disposition of congress. The number of copies sufficient to supply the members of the late congress having been reserved for that purpose, the remainder are now deposited at the department of state, subject to the orders of congress. The other documents mentioned in the resolution of 27th March, 1813, are in the process of publication.

JAMES MONROE.

Which message was read, and ordered to lie on the table.

Mr. Trimble, of Kentucky, submitted the following resolutions:

Resolved, That the committee on ways and means be instructed to enquire into the expediency of repealing all laws whereby a credit is allowed upon duties accruing on imports and tonnage.

Resolved, That the same committee be instructed to enquire into the expediency of repealing all laws allowing drawback.

[We regret the want of room to give the sketch of Mr. Trimble's speech in favor of his resolutions. The leading fact mentioned by him was, that ours is the only government that allows a credit for duties on imports and tonnage—and that by our credits the treasury was a sort of a loan office, to encourage importations, to the discouragement of domestic manufactures, &c. Mr. Smith, of Md. opposed the resolutions as laying the axe at the root of the whole revenue system, &c. but was glad that it had been brought forward at an early day. The resolutions were laid upon the table and ordered to be printed.]

Mr. Jones, of Tennessee, offered for consideration the following resolution:

Resolved, That the secretary of war be required to state to this house whether, in pursuance of the law of 18th March, 1818, any pensions have been granted, which, for reasons which he will state, ought not to have been granted, and what course has been pursued in relation to such pensions, or those to whom they may have been granted.

After some remarks from Mr. Jones—

Mr. Strother, of Virginia, moved to amend the resolve by adding to the end of it the following words:

"And the number and names of those who have been placed upon the pension list from each state, and the amount paid in each state under the said law."

Mr. Jones accepted this amendment as a part of his motion.

There was considerable speaking on the subject presented—finally,

On motion of Mr. Taylor, the enquiry was extended, by incorporating in Mr. Strother's amendment the words "*and the line to which they belonged, and their rank.*"

On motion of Mr. Storrs, of New York, the resolution was further amended, by adding thereto the words: "*and also the regulations adopted by the war department in relation to the examination and admission of claims for pensions under this act.*"

Thus amended, the resolution was agreed to without division.

Tuesday, Dec. 21, Mr. Holmes, of Mass. from the select committee appointed on the subject, reported a bill providing for the admission of the district of Maine into the union, on an equal footing with the original states.

Mr. Floyd, of Va. moved that the bill be made the order of the day for the second Monday in January, and committed to the same committee of the whole

house as the bill for admitting the territory of Missouri into the union.

This motion was opposed by Mr. *Holmes*, and was negatived—ayes about 20; and the bill was then made the order of the day for to-morrow.

A further provision in respect to certain military pensions, offered for consideration by Mr. *Cannon*, was disagreed to.

On motion of Mr. *Shure*, it was

Resolved, That the president of the United States be requested to lay before this house, at as early a day as may be convenient, an account of the expenditure of the several sums appropriated for building fortifications, from the year 1816, to the year 1819, both inclusive—indicating the places at which works of defence have been begun, the magnitude of the works contemplated at each place—their present condition—the amount already expended, and the estimated sum requisite for the completion of each—also the mode by which the fortifications are built, whether by contract, or otherwise.

On motion of Mr. *Foot*, it was

Resolved, That the committee on public expenditures be instructed to enquire and report to this house, the amount of the several items which are charged upon the contingent fund, and whether, in their opinion, the expenditure may not in future be diminished, consistently with the public interest, and the accommodation of the two houses of congress.

On motion of Mr. *Foot*, it was

Resolved, That the several committees on so much of the public accounts and expenditures as relates to the departments of state, treasury, war, navy, post office, and public buildings, be instructed to enquire and report to this house, whether in their opinion, the expenditures in those department may not be diminished, without prejudice to the public interest.

Mr. *Bloomfield* offered a joint resolution, proposing that the two houses should adjourn from the 24th instant to Monday the 3d of January.

After some remarks, lost—ayes, 59, noes 100.

On motion of Mr. *Cocke*, it was also

Resolved, That the committee on military affairs be instructed to enquire into and report to this house the objects intended to be accomplished by the expedition ordered to the mouth of the Yellow Stone, on the Missouri river.

On motion of Mr. *Cocke*, it was further

Resolved, That the committee on military affairs be instructed to enquire and report to this house the expenditures which have been, and which are likely to be, incurred, in fitting out and prosecuting the expedition ordered to the mouth of the Yellow Stone, on the Missouri river.

Considerable time was spent on the bill to provide for the payment of horses and other property lost in the Seminole war; and the house rose while a motion was pending to postpone it indefinitely.

WEDNESDAY'S PROCEEDINGS.

In the senate.

Mr. *Wm. R. King*, a senator from the state of Alabama, appeared and took his seat.

The engrossed bill authorizing the purchase of 200 copies of Binns' edition of the declaration of independence, was read the third time; and, on motion of Mr. *Morrill*, was committed to the committee for the district of Columbia.

The senators from Alabama were classed by lot—Mr. *King*'s period of service expires on the 4th of March, 1823, and Mr. *Walker*'s at the same time of the same month in 1825.

Executive business occupied a part of this day.

House of representatives.

Mr. *Philson*, from Pennsylvania, appeared and took his seat.

On motion of Mr. *Smith*, of N. C. the doorkeeper of the house was directed to dispose of the furniture used by the house in the building where it lately sat, not wanted for the present chamber, and place the proceeds in the contingent fund of the house.

Mr. *Smyth*, of Va. submitted the following resolution:

Resolved, That the secretary of war be instructed to cause to be prepared and laid before this house, at the next session of congress, a system of martial law, and a system of field service and police for the government of the army of the United States.

Mr. *S.* stated, that this motion was made by the unanimous request of the military committee; and, explanatory of the motives which dictated the proposition, Mr. *S.* took a brief view of the defects of the existing military code of the country, and of some of the benefits likely to result from a revision and amendment of it. The resolution was agreed to.

A resolution was offered to extend a land bounty to such minors as enlisted and were discharged while yet minors—but refused to be agreed to—for it 57, against it 70.

The house then resumed the consideration of the bill to provide for losses in the Seminole war—on the question being taken there was for indefinite postponement 60, against it 94—a motion to amend the bill was under consideration when the house adjourned.

CHRONICLE.

Mr. *Gallatin*, our minister in France, is said to have resigned his office, and will return home in June next.

Maj. gen. *Scott* has established his head quarters at Philadelphia.

Married, at Westboro, N. Y. Mr. Edward Weaver, aged 73, a lieut. in the revolution, to Mrs. M. Robinson, aged 63.

Died—on the 30th November, at Jamaica, Long Island, major *Thomas Wicks*, in the 80th year of his age—a soldier of the revolution.

—, at Trenton, N. J. on the 27th ult. in the 68th year of his age, gen. Thomas Robinson, of the state of Delaware,—a colonel in the Pennsylvania line during the revolution,—a gallant officer and an amiable man.

The emigration, westwardly, was very great during the late season. It is stated that one hundred families will leave the city of New York, as it were in a body, and settle in Ohio, Indiana or Illinois.

The *Shakers'* societies of New Lebanon and Niskauena, N. Y. have sent to the citizens of Schenectady, as a donation to the poor, in consequence of the late distressing fire there, eight large waggon loads of provisions, furniture, clothes and clothing.

Expedition. The president's message was carried from Washington to the city of New York in less than eighteen hours, the distance two hundred and thirty miles.

Hartford convention. The fifth anniversary of the meeting of this convention (the 15th inst.) has been duly noticed in many of the newspapers.

Justice. A villain has been sent to the state prison of New York, for fourteen years, for attempting to kidnap a free black woman.

Board of trade. A New-York paper suggests the creation of a board of trade, to consist of three merchants selected from different parts of the United States, and to reside at Washington, with moderate but competent salaries. The project seems to be worthy of consideration.

Ohio river. The commissioners appointed by the states of Pennsylvania, Virginia, Ohio and Kentucky, to examine the river Ohio from Pittsburg to Louisville, have unanimously agreed on a report, that a canal should be made on the Kentucky side of the Ohio, in preference to the Indiana side—that the expense of making the canal at Louisville, will be less than 400,000 dollars, and on the other side more than 1,000,000.

Fire in the woods. A great fire in the woods was raging in Washington county, Missouri, on the 8th November. It had destroyed many houses, and the fences of numerous farms, with fields of grain, &c.

The military road from Detroit to the Rapids of the Miami, has been completed by the troops on the station in the best manner, and they have returned for winter quarters to Detroit. The distance is 75 miles—The road crosses several streams and marshes. The "notorious Black Swamp" is next to be attacked.

Warning to jurors. Certain persons of the name of Brown, were lately tried in Vermont for the murder of a certain Russel Colvin, who had been missing about seven years. Against one of them the evidence seemed so clear that he was sentenced to death for murder, and the other to the penitentiary as an accessory. An enquiry, through the newspapers, for said Colvin was immediately instituted by the friends of the supposed criminals, and the fact appears that Colvin, in a state of mental derangement, had wandered as far as New-Jersey, where he was yet living, but now completely insane.

Piracies. The most rascally piracies are still committed off the mouths of the Mississippi, always accompanied with savage abuse and often with murder. We trust, that no longer delay will be made to put an end to these things. There should be a floating force on the station sufficient to ferret out the villains, and bring them to punishment, with a strong arm.

Mr. Eppes.—The following is Mr. Eppes' letter to the legislature of Virginia, resigning his seat in the senate of the United States—

Buckingham, Dec. 4, 1819.

SIR—The state of my health, which has been considerably impaired by a recent attack, has induced me to decide on resigning my appointment as senator.

I would not, from choice, have selected the present period for withdrawing from public life. Various important and interesting principles are now depending; and the decision of some of them must involve the great question, whether all the powers of sovereignty, affecting life, liberty and property, are transferred to the federal government, or such only as are essentially connected with the general welfare. A question too, (with which my name is in some degree connected) involving the line of demarkation between the military and civil power, is at present depending before the senate of the United States. My opinion on this subject remains unchanged. The power to make war is vested in the congress of the United States, and no individual, however distinguished for military or other talents, can be allowed to exercise a power vested exclusively in the representatives of the people, without a violation of all the principles

of free government. Every motive, therefore, of principle, duty and feeling, would demand my return to the senate during the present session at least, did not bodily infirmity render it impracticable. The legislature will, I know, do justice to the motives by which I am actuated; and I avail myself of the present occasion, to tender through you, my grateful acknowledgments, for the confidence with which I have been honored.

With great respect, I have the honor to be your most obedient,

JOHN W. EPPES.

To the honorable the speaker
of the house of delegates.

Pennsylvania. The legislature of this state met the week before last. Isaac Weaver was elected speaker of the senate without opposition, and Joseph Lawrence speaker of the house of representatives—for Mr. L. 56, Rees Hill 14, Dr. Jenks (fed.) 21. Mr. Hill was not a candidate.

In the senate of Pennsylvania. Dec. 8, Mr. Breck submitted the following preamble and resolutions:

"Whereas it is believed that a law will be passed by the congress of the United States, at their present session, for the admission of the Missouri territory into the union [as a state]; and whereas it is apprehended that an attempt will be made therein to extend to said territory the odious privilege of slaveholding—a privilege so repugnant to the principles of our constitution, so inconsistent with republicanism, so abhorrent to the feelings of humanity, and so opposite to the true interests of that portion of the empire:—Therefore,

Resolved, by the senate and house of representatives of the commonwealth of Pennsylvania in general assembly met, That our senators and representatives in congress be requested to use their utmost endeavors to prevent the introduction of slavery into Missouri, and every other state that may hereafter be admitted into the union.

Resolved, That the governor be requested to transmit copies of the foregoing preamble and resolution to each of our senators and representatives in congress."

On motion of Mr. Frailey, the following preamble and resolution were unanimously adopted:

"Whereas, since the last session of the legislature, SIMON SLYDER, one of the members of the senate, and late governor of the commonwealth, has departed this life: Therefore,

Resolved, That the members of the senate, deeply deploring his loss, will wear crape upon the left arm during the present session, as a mark of respect for the talents and eminent public services of the deceased, and his virtues in life."

Maryland \$100,000 more, on account of monies advanced by this state during the late war, have recently been paid to the state by the United States.

Samuel Sprigg, esq. has been elected governor of this state—for Mr. Sprigg 49 votes; for Mr. Goldsborough, late governor, 36. The council consists of Messrs. Stephen, Duval and Wilkinson, of the Western shore, and Messrs. Butcher and Nabb, of the Eastern shore. William Pinkney and Edward Lloyd, esquires, have been elected senators of the United States—there having been two vacancies, one by expiration of the period of service, and the other by decease.

Virginia. Col. Preston having served his constitutional period as governor of this commonwealth, col. Thomas Mann Randolph has been elected in his place. Mr. Pleasants, late chairman of the naval committee in the house of representatives of

the United States, has been elected a senator of the U. S. vice Mr. Eppes, resigned. Mr. Pleasants retires from a situation which he has filled with great honor to himself and usefulness to his country.

South Carolina. A resolution has passed the house of representatives to prohibit the further introduction of free negroes into that state—93 ayes, 20 noes. A motion was made to amend it by inserting, "except from states in which such persons are citizens," and rejected, ayes 34, noes 78: We should, however, have supposed this amendment unnecessary. If a free black, who is a "citizen," pleases to locate himself in South Carolina, he may undoubtedly do so—any law of the state to the contrary notwithstanding.

New Orleans. The yellow fever had ceased its ravages in this city on the 10th ult. It was believed that upwards of *three thousand* persons had died of this disease there, during the past season—and those who recovered of it are said to be suffering with the fever and ague.

Natchez. The Natchez Republican, of the 16th ult. announces the melancholy fact, that, up to that day, no change had taken place favorable to the health of the city, which would justify the absent inhabitants in returning to their usual places of residence.

The Columbus. This magnificent ship of the line, built at Washington city, and intended for immediate service, for fear of detention by the ice, has been towed by a steam boat down to St. Mary's, where her equipment for sea will be completed. Com. Bainbridge commands her.

The Yellow Stone expedition. It is stated that the objects of government have been accomplished, as far as was expected this season. This fact must silence many unpleasant as well as unjust assaults upon individuals, with which one or two western papers have lately abounded.

Langdon Cheves, Manuel Eyre, and Nicholas Biddle, of Philadelphia, *John McKim*, jun. of Baltimore, and *Charles E. Dudley*, of New York, are appointed by the president, by and with the advice and consent of the senate, to be directors of the bank of the United States, on behalf of the government, for the ensuing year.

Alabama. Gen. Jackson being at Huntsville, the legislature of Alabama passed a joint resolution inviting him to a seat within the bar of their respective houses. They also passed a set of resolutions highly complimentary to the "man of Orleans," which were presented to him and a suitable reply returned.

Missouri. The St. Louis Enquirer says—Notwithstanding the great number of persons who are held in check by the agitation of the slave question in congress, the emigration to Missouri is astonishingly great. Probably, from thirty to fifty wagons daily cross the Mississippi at the different ferries, and bring in an average of four to five hundred souls a day. The emigrants are principally from Kentucky, Tennessee, Virginia, and the states further south. They bring great numbers of slaves, knowing that congress has no power to impose the agitated restriction, and that the people of Missouri will never adopt it.

The season.—A letter from Louisville, Ky of the 6th ult. states, "The woods and prairies for forty miles in almost every direction, and at intervals from this to Lexington, a distance of 74 miles, are in a blaze. The smoke has almost suffocated us in this place for the last five days. Proprietors of

woodlands have been making great exertions to stop the flames, but have already sustained very heavy losses. Such a season has never been witnessed in this section of the country. Horses and horned cattle are suffering severely, and some have died with a distressing disorder of the tongue, which they have termed the tongue distemper. It first shews itself in lumps on the tongue, afterwards the throat is affected and the animal is unable to chew or swallow. I apprehend that this is occasioned by continued thirst; as when travelling, I have frequently called at 4 or 5 public houses, distant from each other 3 or 4 miles, without being able to get any water for my horses. They can furnish water for the man, but are compelled to refuse it to his horse."

Arkansas territory.—The new government has gone into effect. The judges, who are by law the legislature, met at the Post, and passed a judicial law.—James Bates, esq. is appointed circuit judge. The people are petitioning to be changed into the second grade of government. The emigrations and improvements in the territory are immense, and the time is rapidly approaching, when the population will justify the establishment of a new state.

Miss. Gaz.

Steam ship. The steam ship Savannah, captain Rogers, arrived at Savannah, in 50 days from St. Petersburg, (Russia) via Copenhagen, Arundel, and Norway, and 33 days from the offings, all well, and, so use captain Rogers' own phrase, *neither a screw, bolt, or a rope yarn parted*, although she experienced very rough weather.

Washington city, Dec. 18.—Arrived at this port on the 16th inst. the elegant steam ship Savannah, captain Rogers, from St. Petersburg, Russia, via Savannah, in fifty days from the former place, having touched, on her passage home, four days at Copenhagen, and four days at Arundel in Norway. She encountered a very heavy gale in the North sea, and two from Savannah to this port—one from the north east after leaving Savannah bar, and one from the north west on this side of cape Hatteras having only ten hours fair wind on her passage from Savannah—which place she left on 4th inst. she also encountered many other gales on her passage out, and has met with no accident, excepting the loss of a small boat and anchors. Her machinery has met with no accident; her wheels are so constructed as to be taken all on board in from ten or twenty minutes, which leaves the vessel in the same situation as any other ordinary ship, and as capable of resisting the action of the waves. From twenty miles this side of cape Hatteras, to this place, she came by the power of steam only, against the severe north west gale we have had the last three days.

Subterranean garden.—A curious account of a subterranean garden, formed at the bottom of the Percy Main Pit, Newcastle, by the furnace-keeper, was communicated at the last quarterly meeting of the Caledonian Horticultural Society. The plants are formed in the bottom of the mine, by the light and radiant heat of an open stove, constantly maintained for the sake of ventilation. The same letter communicated an account of an extensive natural hot-bed, near Dudley, Staffordshire, which is heated by means of the slow combustion of coal at some depth below the surface. From this natural hot-bed, a gardener raises annually, crops of different kinds of culinary vegetables, which are earlier by some weeks than those in surrounding gardens.—*Lon. pub.*

NILES' WEEKLY REGISTER.

NEW SERIES. No. 18—Vol. V.] BALTIMORE, JANUARY 1, 1820. [No. 18—Vol. XVII. WHOLE No. 434

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

Correspondents must excuse us for not noticing a multitude of communications, at present—we regret even the room that is occupied by our own remarks—and it should not be given up to them now, except as thrown in to relieve the documents.

Little.—Some small man at Washington City has played off a stroke at wit, by attempting to tax us with twenty cents postage, by enclosing, in blank, a scrap from a newspaper. But the wit lost its point—for the money exacted by such moon-struck compliments is always returned from the post-office, on a rightful representation of the case. Perhaps, from the superscription, the witty man may be discovered; and if the thing is, as I suspect him to be, an officer under the government of the United States, I will paint such a likeness of him that he shall be shocked with looking at his own picture.

Two very important papers have been submitted to the house of delegates of Virginia, and ordered to be printed, in support of state rights, with especial reference to the incorporation of the bank of the United States; and the decision of the supreme court in the case of McCulloch vs. the state of Maryland. They occupy nearly eleven of the ponderous columns of the "Enquirer." We could not insert either of them this week.

After a long intermission, we have some late news from Europe. The details, at considerable length, will be found under their proper head. England has fairly arrived at the point of a revolution, in favor of or against the people—the emancipation of labor from the burthens of a profligate government, or the positive slavery of the productive classes. A little time will show us whether the people *deserve* to be slaves—as they will, if they submit to the laws now about to be enacted. They must push the bayonet, or kiss the rod.

From Spain we have a rumor of a new treaty with England—see "Foreign articles"—by which the latter "is assured of the protection of the British flag to make the rights of Spain respected by the United States." Some of the London editors doubt the truth of the report that any such treaty has been signed. Without crediting it, we believe it may easily happen from the state of England, at home, which is such as render a foreign war desirable. It is said that a considerable reinforcement was to be sent from Spain to the Havana, for the defence of Florida. This is useless—Spain cannot defend Florida if the United States resolve to take possession of the country—about which, perhaps, we shall give some information in our next.

France is quiet and prosperous—the acts of Napoleon, in his attention to internal improvements and encouragement of domestic industry, have secured to this country advantages which no other in the old world possesses.

New Year's desultory Remarks.

FROM "FREEDOM'S CHAIR."

The plea of custom in favor of familiarity—hop-step-and-jump-way of writing—"freedom's chair"—my own affairs—antiquity of a principal to produce an interest—popularity versus honesty—somnificating speeches—the misfortune of being in debt, and a

good determination respecting it—increased support—Sampson and the Philistines—poverty and riches—NATIONAL CHARACTER, and the progress of good principles—the people and faction—"could" at Washington—old-fashioned ages and noes—etiquette—labor honorable and to be honored—babblers—practical men—a good oil story, and the discovery of a soft place in John Bull's head—the march of mind—Washington and Franklin—a column of the carcasses dukes—bees and drones—herrings and potatoes, and grave advice to a member of congress—a breed of fools—the right of suffrage—"Old Niles" against a swindling mill—the fueling of taxes—honesty and dishonesty, and a specimen of a bill—bank of the U. States, and the proportion which I have to pay to make up its losses—calculations—domestic economy—things called by their right names—the address of a thief—taxation and tyranny—Sam Johnson and the congress of '76—power of representation, its condition—a royal crown from the house of representatives of the United States—a spunky resolution about American paper—the paper-system and a king for Columbia—its terrible effects—state of England and France—Hume's prophecy—queries—finances of the United States—the reign of paper—contrast of expenditures—the magnifying powers of office-seekers—declaration of principles—Jefferson's inaugural address—and the reader bid good-night.

It has at times been my practice to hold a little familiar chat with my good friends, the numerous and respectable subscribers to the REGISTER—and the "festive season" is exceedingly well adapted to that freedom of intercourse which makes us best understand one another. Besides, it is occasionally pleasant for me to say just what I think, in a "hop, step and jump"—kind of way, without the stiff formality of the diplomatic stile, or the cold caution of an editor, fearful of offending party or his "advertising friends,"—avoiding, however, an impertinent interference with other men's matters. I shall, therefore, "embrace the present opportunity" to give a liberal vent to my ideas on several subjects—on "matters and things in general" as they present themselves to my mind. And this, perhaps, I am the more strongly induced to do from my present location. I am seated in a chair which I have called "FREEDOM'S CHAIR." It was one of those occupied by the patriots who, disguised as Mohawk Indians, cast the taxed tea in the sea at Boston, Anno Domini 1773;—a long history of which I intend one day to write. It was lately presented to me by a respected friend—and I seem to sit in it as if I were quite at home.

Like every body else, my first consideration is of my own affairs. This rule of conduct, I apprehend, was well known to old father Adam, just after he left the garden of Eden. So much for its antiquity; and it prevails universally among all politicians and other traders in the world—whether pretended Christians, Jews, Turks or Pagans. But I do not intend to look one way and row another, as it is said that the members of a certain legislative body frequently do. It is reported of them, that some who vote for a law in one house, leave no stone unturned to get the law rejected in the other, or vice versa. Here is a specimen of the savage war that popularity wages against honesty,—which creates so much

mischief in the republic, and causes so many somnifering speeches in congress and elsewhere; making the auditors ready to say, "blessings on the man that first invented sleep"—a sort of death, wherein scolding wives and chattering politicians cease to trouble, except "perchance to dream—are, there's the rub!" The ever-busy mind may still conceit the clatter going on, and so forbid repose! My purposes, as to myself, will be very clearly explained in the next paragraph.

The concerns of the REGISTER are "about as well as can be expected," in this season of destruction to swindling banks, which have so much shattered the public confidence, and straitened the means of deserving banks and individuals—and at a time too, when the want of profitable employment has so severely checked the wholesome circulation of every honest representative of money. During the past year, a few gentlemen have retired from my subscription list for economy's sake, and they did exactly right, if they thought that at present they could not afford to take my paper; others have been reluctantly struck off, for too long refusing the "essential oil," without which my presses, though purely of American manufacture, must stop; and many that were hitherto my most prompt customers, have lately had so many uses for five dollar notes which they were willing to send to me, that they have the misfortune to be yet in my debt. Of this sort of ill luck, I myself have had an uncommon share, and there yet remains enough of it for me. But, as I seriously intend to pay every debt that I owe, as soon as I can, and especially the little ones, I may fairly recommend such a determination to others! The receipt of between three and four hundred new subscribers during the year past, is respectfully acknowledged; and I am willing to hope that I shall get at least one thousand more in that just now entered upon! Let us not despair—the tax which productive industry is paying to private speculation and public folly, is severe; but by *feeling* it we shall not suffer ourselves to be made instruments of to levy it *again*; and, if we avoid a "paper system" we may do "very well" a little while hence. The people, like *Sampson* reposing in the lap of *Delilah*, were *shorn* of their strength by the banks, the agents of the *Philistines*—but they are "shaking" themselves, and their strength will come again. I shall conclude this part of my subject by observing, that though poor as to money, I am rich in the ability to preserve this paper independent of any man or set of men, party, faction or corporation, except the PEOPLE'S FAULTY. The fate of the latter is linked to that of the "PRINCIPLES OF THE REVOLUTION," and these will yet flourish, notwithstanding the attacks which luxury and licentiousness are making upon them.

Ardently devoted to the establishment of a NATIONAL CHARACTER, as common to the whole American family—divested of local partialities and sectional prejudices, it is with delight that I have witnessed the progress of the principles on which it must be founded. Certainly, men are more and more esteemed according to their merits than on account of their professions, and the minds of the people are more and more intent upon guarding their own interests. They begin to see that their interests are more closely united together than demagogues (on both sides of the question, as to the leading *politics* in our country), would have suffered them to believe was the case. A general desire for the welfare of the union, the pride of the age and hope of posterity, is superseding the petit *clamors* that formerly prevailed, as if government

ought to have enacted laws for the *especial* benefit of every village and township in the United States! Common sense was long kept in the back ground, by the fervor and fury of party. No prudent republican will desire the extinction of party, or a denial of the liberty of the press. We would rather bear with the former, ruthless as the *secret* history of the proceedings had when the election of Mr. Jefferson to the presidency by the *people*, was contested in congress by *faction*—and with the latter, wild as it can be imagined, than sink into the stillness of despotism or suffer a censorship. Among an enlightened people, there is a power in *public opinion* far beyond that of the law. The *moral force* of almost every government is greater than its strength in arms. Man, like all other beings, seeks a state of rest; and, when he moves, he moves only to obtain it. A few "choice spirits," office-hunters, a person lusting for power, do not come within the scope of this proposition—but the American people will not lend themselves to such worthless things as they have done. An evident determination to withdraw themselves from European politics, and centre their feeling at *home*, is felt among them. We desire to have "peace, commerce and honest friendship with all nations, entangling alliances with none," and would be glad to see the number of our ministers *abroad* considerably reduced, in testimony that our government intends to abstract itself from the crooked policies and corrupting manners of the old world. We should like to see also, the abolition of every thing like a *court* at Washington—where things are going on to such an extent, that a plain, unsophisticated republican will seldom be able to leave the place without disgust, if parade and form is not checked. Nay, a manner of speaking is extensively used there, that requires a glossary, or table of interpretations! I have myself known several persons who, when they said "no," meant a negative, and whose "aye" was an affirmative, that, after residing at Washington, totally forgot their *old fashioned* "ayes and noes;" having substituted therefor "it is understood," "I am not informed," "perhaps," and the like. On a certain time, I plainly told a friend, that his yea used to be yea, and his nay, nay—but that now I could not *understand* him. He was astonished, and considerably affected by my remarks,—and exclaimed, with some emotion, "I must have *caught* the slang, but was not sensible of it until now!" *Etiquette*, too, is a word much used at the seat of government, though an office is not yet established there to determine its principles and settle the grades of persons; but it would seem, from some ridiculous conflicts which have been related to me, that it may soon become necessary! Now, these things do not belong to the genius of our people, or the nature of the constitution which we have chosen—and I *hate* any thing and every thing that tends to the introduction and establishment of foreign fashions, no less repugnant to the simplicity of the truth in private persons, than the frankness which should distinguish the representatives and agents of a nation of freemen.

Among the best means within the reach of the people, to stint the growth of pride and fondness for parade, in the train of which intrigue and corruption inevitably follows, is to *render labor honorable*. To cast out of their confidence, and purge their legislative bodies of babbling things, to make room for practical men—men whose interests are identified with those of the community at large, and directly responsible to public opinion. To that respectable class of gentlemen called lawyers, I have not any personal objection—but we have made

grand mistake in so much stuffing our deliberative bodies with them, and in multiplying the breed by rendering the profession the high road to public honors. The interests of this class, as of every other unproductive class, are opposed to the interests of the people. Men that do not work cannot know the value of money, nor understand the right uses to which it should be applied. The working classes have the power of the United States in their own hands. It is time that they should begin to respect themselves, if they would be respected. Strength of mind, or energy in action, is not the property of any class, nor is the ability to make a speech an evidence of wisdom. Many of the best legislators and most profound statesmen in congress and elsewhere, are those who rarely take the floor—they think instead of talk, and do most of the rightful business that is done,—bearing the burthen of legislation in the heat of the day.

There is an old story, good enough to bear frequent repetition, that shortly after the acknowledgment of the independence of the United States, a very *cunning* Englishman undertook to console his countrymen for the loss of America by ridiculing the Americans. He wrote a play, in which our generals and other most distinguished persons, were represented as having been farmers, and cobblers, and tinkers and taylor, &c. Poor John Bull thought this was quite funny, he shook his *then* fat sides with laughter, threw up his hat and huzza. But at last a sly Yankee, on seeing the play, roared out from the pit—"Great Britain *NEATING* by farmers and cobblers, and tinkers and taylor, huzza!" On this John scratched his head and found there was a very soft place in it, and felt that he had behaved like a fool—so the play was "laid on the shelf," where it has quietly remained ever since.

There is something truly majestic in the march of mind, when the fetters of prejudice are broken, and *man* goes forth in the dignity of his nature—"the image of God," superior of all created beings. Thus WASHINGTON and FRANKLIN, by the torrent of their own powers, burst the bounds apparently prescribed to their condition, and overflowed the world with their reputation—marking the age in which they lived, and giving up their names to the immortality of history. What are the *Bourbons* and *Guelphs* compared with these? What "Frederic of York" to his own countryman, Arkwright, the barber, or Wedgewood, the potter? Either of these were worth as many *dukes* as could be stowed in the space between our earth and the planet Herschell, though the column of carcases were ten thousand miles wide and ten thousand miles high! Such is the difference between talents and *birth*, production and consumption, the bees and the *drone*s.

In the United States (blessed be Providence for it), the *drone*s chiefly exist by our own sufferance; and it is the people's business to take care that such as do not feel the law shall not make the law. The fact is, handle the subject as you please, there is a continual strife between consumption and production. The latter is the most deserving of honor, and should get the victory. I would rather trust the welfare of my country to a scientific shoer of horses, than to a man "who makes a leg" by rule, in a drawing room. A person told me once, that *good order* in society never could be expected while the mechanics and laborers carried home their turkeys from the market—that they ought to be fed on herrings and potatoes; and I very calmly advised him, as he was a member of congress at the time, to prepare himself for being ducked in

the Potomac, whenever he was ready to bring forward a proposition to reduce the laboring people of the United States to the condition desired by him. This, he very modestly said, shewed a *sedition* spirit—for it was in the time of the *sedition law*; but when I thanked him for the savory food that he would confine me to, as a mechanic—"O, he didn't mean such as me!" But he *did* mean such as me, and I told him roundly of it; for he was the son of an honest Irishman, long known to the old people of the neighborhood as a common day-laborer. But specimens of this breed of fools are rarely met with, and we only laugh at them now as we do at the gambols of a monkey. The people think those have the *best blood* who are the most useful, and are daily convinced of the absolute necessity of investing such men with authority. This is as it should be. Useful men in private life, will do useful things in public—and the useless will be useless still. Who would expect to find bread in thistle blossoms?

As every citizen of the United States is an integral part of the government, it is the solemn duty of every one to make himself well-informed of the great concerns of the nation. It is not those who declare war that have to bear the brunt of the battle, nor such as levy taxes on whom they fall most heavily. It is the yeomanry that have to fight, the consumers that have to pay. We cannot hope that each and every person in the United States will ever be fitted for office; but all men of sane minds and virtuous habits, may be rendered capable of judging of the fitness and conduct of others;—and, when they offer their ballots, to feel as my political father said he always did—"accountable to God, for a misuse of the inestimable right of suffrage."

Some time ago, when I spoke irreverently of a certain legislature, because of its recent incorporation of a swindling-mill, a printer ironically advised that a writ should be issued to bring "old Niles" before the body, to answer a charge of contempt! and many speak of me as an *old man*, though I have only just passed the 42nd year of my age. But in my childhood I was called an "old fashioned fellow," and recollect very well when I was only seventeen years of age, to have advocated the principle that all taxes should be *directly* levied upon the people, that they might *feel* them; because to that feeling I looked for the security of liberty and property.—The more and more I reflect upon this subject, the more I am satisfied, that the safety of the republic mainly depends upon its general operation. If it were adopted, the saying of the great Bacon might be verified, and we enjoy, "a heaven on earth, if pious minds moved in charity, rested in providence and turned upon the poles of truth." Every tax which a man does not *feel* is a fraud and robbery committed upon him, unless levied upon articles of luxury or exacted to encourage domestic industry, and goes to establish the favorite dogma of kings and priests, that the people are neither fitted to live on earth, nor qualified to ascend to heaven, except by *their* royal and priestly exposition and administration of the law, secular and ecclesiastic. If any one *can* believe this doctrine, he may—I shall not trouble myself to convince him of error! But ridiculous as it is, we—yes *we*, the people of the United States, frequently act upon it! And are we really such fools, that it is a *political virtue* to cheat and deceive us? Are the wheels of government to be stopped, unless there are knaves to devise and silly ones to pay the revenue needful to keep them a-going? Let others do what they will, *I'll not believe* it. Let us meet the question honestly—if we can-

not remain free from the operation of our own reason, let us become slaves! Admit, that my servant steals from me one dollar per week, which I do not sensibly miss, or 52 dollars at one time, in a year, that I instantly feel the want of—what is the result? *The loss is the same*; yet by the former he may ruin me by degrees, whereas in the latter case, I should bring him to an account at once, and dismiss him from my confidence. So far, indeed, would I carry my principles, if I could, that when any person sold a *taxed* article he should be compelled to tender a bill of it thus—

H. Niles to C. D. debtor.
For 12lbs of sugar, at 9 1-2 cents
Duty to the U. S. at 3 cents per pound

1 14
35
1 50

If it were so established, we should at once know that nearly one fourth of the purchase money went to government, and *calculate* that if articles were not *dutied*, we should have such and such sums of money to spare for other purposes. And, as often as a bill of this sort was presented, we should ask, what does government do with the cash which it is continually taking from our pockets? I guess that in such a state of things, there would often be a severe settlement of accounts between the payers and payees and distributors of the public money—No man or set of men has a right to take my money from my pocket unless with my consent, or that of my representative in the sovereign power of my country; and even then, it is my inherent privilege to be satisfied as to the manner in which it has been disbursed. Let us take another case to shew the propriety of what we aim at. It seems, that "we the people" have to pay the neat little sum of *seven hundred and fifty thousand dollars* to make up the losses incurred by the "honorable men" who got up and managed the thing called the bank of the United States,—though I cannot see in the documents accompanying the late report of the secretary of the treasury, that Mr. Crawford has plainly told us so, as I hoped that he would have done; nevertheless, we shall have to pay it—*that's flat*."—If this sum was *directly* levied on the people, the tax bills for it might be rendered in the following form:

H. Niles to the United States, Dr.
For your share of the loss sustained by the speculations
and swindlings caused by the bank of the United
States 3 95

Which I find by calculation, in the present unjust mode of taxation, is about my proportion, *living as I have lived*: thus—I have ascertained that the amount of foreign goods consumed in my family, cost me at least 100 dollars per annum, for the duties alone—then, as 19,000,000, the whole amount at present expected from the customs, is to 100 dollars paid by me, so is 750,000 to the 3 dollars and 95 cents, my proportion of the loss sustained by the frauds committed in or by the bank of the United States! But I have abolished the use of coffee and considerably struck at the consumption of tea, by using a better liquor made from rye, and substituted many things of home product or manufacture for like foreign articles, so that I will not hereafter pay more than 60 or 70 dollars a year to the support of government, and as much less, *in this way*, as I can conveniently reduce the amount to. Now look at this tax upon me—a poor mechanic, a plain man, with a plain family, living comfortably and nothing more. If all the people of the United States who really live as well or better than I do, contributed at my rate (as those generally do whose location, in our present habits and manners, demands a consumption of foreign goods), the revenue of the United States

would amount to about eighty millions a year, or to as much as fifty, according to my new establishments in favor of domestic economy. But, to return to the bill of taxes for losses sustained by the bank of the United States. What would our farmers think of such a bill? They would be ready to set their dogs upon any man who should present it, for no decent man could be found that would do it. But the amount *was* to be paid—this is only calling things by their right names. And further, would the collector of such a tax as this be more worthy of praise, if, instead of fairly demanding the amount of me, he should enter upon my property in the night and rob me of the value of it? His address as a thief might be praised, but I should stand justified in shooting him down like a wolf, if I caught him in the fact. Such is, indeed and in truth, the spirit of the operation of all indirect taxes.

"Taxation without representation is tyranny," notwithstanding the pious Sam. Johnson "made a book" to prove the contrary. The congress of '76 said that it was so, and "they were not liars." *The folly of government has reduced the people to the necessity of defending themselves against it*, from the impossibility of paying the duties needful to its expenditures, destitute as they are of encouragement for national industry and deprived of a foreign market. The time has nearly arrived, when congress must retrace its steps, and resort to direct and other internal taxes for the support of government. We shall see whether those that have the power of representation are willing to bear their just part of taxation, and by it scale their pretensions to the character of republicans. If they will not, I shall shake hands with them; for I am so much of a democrat as fully to believe, that I ought to have a power in representation equal to the proportion of the public burthens that I am compelled to bear. I do not mean that any man should have more than one vote, but we know that some have the power of 20, 50, 100 votes, and more.

Domestic manufactures, to employ the free population of the United States, have been most severely opposed by those who possess the power spoken of, that they may avoid the condition on which that power was granted—a proportional contribution to the revenues of government, by direct taxes.

I had written thus far, and called off to dinner—after which I returned by the post-office and received several letters; among them one franked and endorsed, "Thos. Dougherty, C. H. R." that is, clerk of the house of representatives of the United States. Its contents were common—simply directing that the REGISTER should be furnished to a certain member during the session; but what attracted my attention was a royal crown water-marked in the paper, which I shall file among my curiosities, *in perpetuum rei memoriam*: and I thought what the British people would say of old George Rose, clerk to the parliaments, if he had written his public letters, on ordinary business, on paper marked with an *American Eagle*—knowing as they do, that the paper manufacture, so far as its amount goes, is more productive of profitable employment than any other—for without it, the raw material would be lost, as well as the labor of a great number of women and children engaged in working it up.—I hoped that this procedure had been corrected, at least in the house of representatives—but as it does not appear to be so, I have to request that the members of congress who may hereafter order the REGISTER, will be so polite as to direct the clerk to write for it on *American* paper. If he does not (indeed and indeed,) they shall not receive it, unless I am cheated by false

marks on the paper. Perhaps this may offend Mr. Dougherty. I do not wish to offend any man. But it is time to speak out and act up to principle—and insist, that the representatives of the United States shall protect the interests of the United States. So they must manage matters differently or cease their (ordinary) public correspondence with me! I am an insignificant individual—but every thing must have a beginning; and, as I happen to be just exactly as independent of congress as congress is of me, I may as well start such a resolution as any one else.

Speaking of *royal paper* used by the clerk of the house of representatives of the United States, by a natural association of ideas, my mind is directed to a brief notice of a royal "paper-system" which congress is urged to adopt. I call this system "royal," not only because we borrow it from England, but for the reason that its greatest advocates in the newspapers, are Englishmen by birth, and Englishmen in politics. So far it is English throughout. If it were left to my discretion, whether to import some *wise and just* thing, like Ferdinand of Spain, for a KING OF COLOMBIA, or to import and establish a "paper system," I should not hesitate half a minute in electing the former. A well-merited halter might relieve of the one in a very short time; but if the people are saddled with the other, they would have to bear the burthen for ages, or shake it off by a civil war—"rebellion" or revolution. This system, to the infernal zeal and dark murders of a "holy inquisition," adds the desolating spirit of Attila, called "the scourge of God," from the extent of his ravages. It combines all the craft and cunning of a country against the poor—places villainy in the palace and honesty in the poor house. The tax, as above stated, which I have to pay on account of speculations and frauds in the bank of the United States, is a sample of what we should suffer, except that instead of paying \$3.95 for such things, if the system was fairly under-way, I might be required to contribute 50 or \$100 to it every year. So that, if it is adopted, the act will bind my five sons to the condition of "hewers of wood and drawers of water" to knaves, or force them into a partnership with knavery. When pressed by a foreign war, or in a season of public calamity, a nation is justified in the use of means to relieve itself, that at other times it would be insanity to think of. The United States are at peace, no public calamity has fallen upon us, except from our mismanagement and folly, and we ought to be prosperous—and so we should be, if the labor of the country was supported to produce national wealth—if *useful* men only were accounted honorable ones. Look at the "paper-system" in England—three-fifths of the laboring people are paupers—it exists, as it were, by the blood of men, and fattens on the starvation of the poor! A terrible revolution must take place in that country—it is no more possible that the present state of things can remain, than that men can avoid death. "It is appointed to all men once to die," and just as certainly will a paper-system bring about the annihilation of a government, or an extinction of the rights of a people. It is only about thirty years since England was fully precipitated into this system by William Pitt, and these are among its early effects:

The destruction of the independent yeomanry that were the glory of the country, and their reduction to paupers:

The raising of the poor's rates from about 2½ millions to more than 10 millions:

The increase of the public debt from 234 millions to more than 1000 millions of pounds sterling:

The rise of taxation from about 25 to 75 millions per annum, &c.

The indispensable necessity of a revolution—either to emancipate labor from the impositions upon it, or to strengthen the hands of the government so that the people shall really be slaves.

Hume anticipated all these things—he declared, fifty years ago, about twenty before the "system" had reached any thing like its present extent or perfection, in his essay on "public credit," that "the nation must destroy it, or it would destroy the nation." What was prophecy is becoming history. Of all things possible to be imagined, it is the most opposed to republican manners, habits and customs.

Now, as a contrast to this, let us cross the channel and look at the state of France, without a paper system. This country is hardly yet settled down into peace—it has just passed through a wasteful revolution, and its capital was twice taken by the allied powers, who levied enormous contributions and carried off the richest spoils from the land. France does not produce gold or silver any more than the United States, and though her population is so much greater than ours, her circulating medium is not larger, perhaps, than that which just now we make use of. But there is not such an outcry about the "scarcity of money" in France as in the United States, because it has a more liberal circulation by domestic industry; nor are her paupers more proportionally numerous than our own—there is no great complaint about the want of employ, nor any scarcity of the necessaries of life, thanks to the genius of Napoleon, who established the private comfort of the people of France, by causing labor to be respected. Is history to be lost upon us? Are we to believe that like causes have failed to produce like effects? Let the friends of the paper-system tell us of any country which has adopted it, that has not been desolated by it, as though the locusts of Egypt had passed over it and destroyed every "green thing." Let them tell us of an instance, even when it was resorted to for temporary purposes, that did not terminate in making the rich richer and the poor poorer. Who was it that benefited by our own funding system? Were they not the bloodsuckers of society! Who profited by the loans obtained during the late war below par, which we shall have to pay off at par? Who was it that grasped the advantages which the incorporation of the bank of the United States presented? Who would reap the harvest on a resort to treasury notes now?—But I must dismiss this subject for the present, expecting soon to speak of it more at large, and also pay my respects to the bank of the United States.

The exposition of the state of our finances is "wondrous pitiful." There has been a great want of political economy and forethought—a late waste and prodigality, fitted only to the reign of paper, so that a moral revolution must take place, unless paper is still to do the business. The expenses of government must be reduced—the modes of raising the revenue must be changed. The treasury report, and its accompanying documents, are intended to be specially noticed, when we obtain the usual details of expenditure, or more light upon certain items.

There has been a strange alteration of times since Mr. Jefferson came to the presidency. The expenditures of government, exclusive only of the amount set a-part to redeem the principal and pay the interest of the national debt, was less than three millions a year, and I guess we were as well governed then as we are now when the same species of expenditures amount to about five times as much. The attitude of the nation, it is admitted, is materially changed, and many things which cost much

money have been rightfully done—but this mighty rise—from *three to sixteen* millions, should bring us to a pause, and it becomes us to enquire how it has happened—which we shall do.

As office-seekers and influence-hunters are always gaping to catch any thing that accords with their own sinister views, and ever disposed to transform mole hills into mountains when such views seem to be opposed, I shall here freely and fully explain all that I mean, and be my own interpreter.

The *Register* never has interfered in party politics—nor shall its pages ever be prostituted to the dirty work of exalting one man or putting down another; but it seems to me now to be a duty to examine certain of the operations of government, not as opposed to the persons in the administration, but because of the necessity of the case. There are some who are unfriendly to the executive because it is *called* republican; others, because it is not republican enough to incur the risk of encountering the "*holy alliance*" for the sake of the patriots of South America, who have my most sincere wishes for their success. Some blame it for one thing, some for another, and a few imperiously demand the dismissal of the president, that their own favorites may be elected in his stead! whilst many extol him far beyond his deserts, who really are not half so well disposed towards him as others who are nearly silent respecting him. Now if, while all these are contending in the manner of *partizans*, I can lead any to a consideration of *principles*, they may apply them just as they please. It is a lamentable fact, that we have widely departed from the simplicity of the republican truth, as laid down in Mr. Jefferson's inaugural speech, a document which (let his motives for preparing it be what they may, and their purity was impeached by his opponents, though never doubted by me), will for ages furnish texts for the virtuous political mind to dwell upon; and his practice, perhaps, as nearly corresponded within his professions as any man's ever did. Let me not be misunderstood—the times require economy, the nation demands employment; and these things must be brought about with a change of manners suited to a continuance of the republic. Luxury and extravagance, public and private, have made tremendous strides amongst us within the last few years—they are the deadliest enemies that freedom has to encounter; and "public credit," built upon a "paper system," is their chief minister of misery to the productive parts of a community, for whose benefit governments were first instituted among men, though so often perverted to aggrandize a few, and reduce the people from bold and independent citizens to slaves and paupers—to beg bread of the very persons who cheat them out of that which they earn.

But here I must stop short—sitting at ease in "Freedom's chair," I fear that I have written more than most persons will read—and as my object is that my writings may be read, it being near 11 o'clock P. M. I shall respectively bid those who read thus far "good night," thanking them for the patience with which they have waded through these "desultory remarks," and hoping that, if they cannot agree with my *notions* of things, seriously—they will regard them in the spirit of the season, good humoredly. Indeed, I should be sorry to offend any man on "*new year's day*." Who knows but that it might be "*omniums*" as I heard an old lady say, "of being in hot-water all the year?" But philosophy shall fight with omens—I do not like "hot water"—or quarrelling, and shall pursue my old course with my accustomed equanimity.

U. States' Bank vs. State of Ohio.

FROM AN OHIO CORRESPONDENT.

MR. NILES—The true character of the bank of the United States, and the spirit and intelligence of those who manage its concerns, are so happily illustrated in their proceedings against the state of Ohio, that I think a brief history of those proceedings cannot fail to interest your readers.

Besides the bill in chancery against the auditor to enjoin the collection of the tax, of which I gave you an abstract in a former communication, they are now prosecuting a suit at law and another bill in chancery. In their action of trespass brought against Harper and Orr, they claimed in damages, the whole amount of "*the money taken*" and required bail in double that amount—Harper is a single man, with but little property: Orr is a poor man, with a small family resident in Chillicothe. From these men the bank could not expect to recover their money—a judgment against them for the amount of 100,000 dollars could avail the bank nothing, except so far as it ought to operate upon the moral sense of the state, and induce them to pay it! Under these circumstances, the demand of bail was evidently a wreaking of vengeance upon the individuals, and not a precaution to secure the payment of the sum claimed. This indulgence of little passions is characteristic of the vindictive importance of an aspiring aristocracy, while it is yet kept in subordination by free institutions and individual independence, and it is therefore peculiarly deserving of notice.

Harper and Orr were committed to the Chillicothe prison, by the deputy marshal who arrested them, under a law of this state, granting to the United States the use of the state jails. They did not attempt to find bail; but applied for a writ of habeas corpus. The judge very correctly refused to discharge them, but delivered a very silly opinion upon the question, which he was weak enough to furnish for publication. It has escaped animadversion, only because it is looked upon as too flimsy and contemptible to deserve or require exposure. So soon as this opinion was pronounced, Harper and Orr were removed from Chillicothe to Lancaster jail, a distance of about thirty-four miles. The reason assigned for this removal is, that the jail at Chillicothe was considered insecure, although the prisoners had remained there three weeks without an effort to escape. By this measure Mr. Orr is entirely separated from his wife and children, and both are removed from the consolations and assistance of their acquaintances. This, it is supposed, was the real object of their removal, together with an expectation that they would be more rigidly and closely confined at Lancaster than at Chillicothe. It however turns out otherwise.

Having thus fastened their action of trespass upon Harper and Orr, claiming from them the whole amount of the tax collected, and imprisoning them at a distance from their friends, the bank commenced a new suit. They took up an opinion that the money had been deposited by the treasurer in the Franklin bank of Columbus: they sent an agent there to demand it, and after making this demand proceeded to file a second bill in chancery against the auditor and treasurer, Harper and Orr, the two persons who went Harper's security to the state for the performance of his duty in the collection of the tax: the bank of Chillicothe, the Franklin bank of Columbus, the president and cashier of each of these banks, and the persons who accompanied

Harper as a guard in conveying the money from Chillicothe to Columbus.

This bill sets forth the proceedings of the auditor in charging the tax and appointing Harper to collect it, charges two persons with becoming Harper's securities--alleges that Harper collected the tax without a demand, sets forth who aided him, and that the bank of Chillicothe made previous agreement to receive the "*treasure*," which it afterwards did receive, names the persons who assisted in transporting the money to Columbus, charges that the treasurer received it, and deposited it in the bank of Columbus, where it was demanded and not returned. The bill further suggests that about 7000 dollars of the money and notes were the property of the United States: that all the parties were notified and advised of the illegality of their proceedings, and that the right of property was in the bank and the United States, and asks of the court an injunction to stay the *treasure* in whosever of the defendants hands any part of it may be, and a final decree to refund.

The prayer for an injunction is in the following terms--"That the said president, directors and company of the Franklin bank of Columbus, and the said William Neil and John Kerr, cashier and president thereof, may both as officers and individuals, the said John L. Harper, the said Curry [treasurer] and Osborne, both in their private and *official capacities*, may all and each of them be enjoined from parting with the possession of said funds, or such part of the same as are in their immediate possession, or under their control, or from intermeddling with the same, if in the said bank of Columbus, by transferring the possession thereof in any manner; and that all other persons, the agents, officers, servants or attorneys of the said defendants, be enjoined as aforesaid, or any who may have control, power or agency in the business, from interfering or intermeddling with the same, until this cause can be fully heard in equity, and then that all persons be enjoined from disposing of the same, but that the amount of the same, with interest, be re-paid to your petitioners."

This, you perceive, is truly a wholesale proceeding, and I apprehend it is the first case where a bill in equity has been substituted for an action of trespass or trover. It is indeed a proceeding *sui generis*; two persons sued in an action of trespass for taking a personal chattle, and held to bail in double the value of the property taken, are again sued in chancery with other defendants, and required to restore the same chattle specifically with interest, and in the mean while are enjoined from using it. Whether this proceeding of two suits for the same subject against the same persons, proceeds from malice or from want of information, is a matter of little moment. The procedure shews fully what kind of persons compose this *supremely important and necessary* mean of government.

This new bill, *prosecution number three*, contains no single word of reference to the bill, *number one*, filed against the auditor at the September term of the circuit court. In consequence of some mistake, I presume the solicitors in that case, after the tax was collected, sued out an injunction considerably broader than had been allowed by the court: In this case, the injunction prayed for as specified above, was applied for to the district judge at his house upon the 20th of November. Upon the 22d, he made the allowance in the following words:--"The several parties named as defendants in the within bill of injunction are hereby enjoined, *IN THE MANNER PRAYED FOR* in the said bill, from all other and further proceedings in relation to the money

mentioned in the said bill, and which was the subject matter of a bill of injunction allowed by the circuit court of the United States, of the seventh circuit in and for the district of Ohio, at their last session, and particularly from removing, intermeddling with, or making any disposition of the said money or *ANY PART THEREOF*, from the bank of Columbus, or from any other place at which the same may be now deposited, until the next session of the said court and until the further order of the same."

The fact, asserted in that part of this order of injunction, printed in italics, seems to have been added by the judge, and stands in the case as lawyers would say, *de hors the record*. I presume they are added by the judge of his own knowledge, which is not the usual mode of adjudicating questions of fact. I notice this circumstance for the purpose of remarking how singularly familiar the judge is with the subject--In one case the counsel extend the order of injunction without leave of the court; in the other the judge adds a material fact to eke out the counsel's bill, which, in the bill itself, is neither relied upon or suggested. I believe this is seldom done in the case of an obscure individual.

Among other curious matter in the bill number three, the auditor of the state is required to disclose particularly "if any securities were given by the said Harper, who they were, the amount of the bond if any was given, that the said bond be also set forth--Whether the said auditor advised with any counsel on the subject of executing his warrant aforesaid; or directed any counsel to be consulted on the subject aforesaid; who the said counsel were that advised the execution of the same and that the names of all be set forth."

Here we see a stockjobbing corporation claiming to convert the federal court into an inquisition, and to carry their inquisitorial jurisdiction into the executive department of the state, and compel a public officer to give an account of his official conduct in executing the duties assigned to him by law; and not only this, but to disclose whether he took counsel in the execution of his duty and who these counsel were. Is not this a measure of high-handed folly without a parallel. The case is *sub judice* and further remarks would be improper.

The execution of our law has given birth to a great deal of passion and some folly in the eastern newspapers. This has arisen partly from misapprehension, and partly from the management of the agents and tools of the bank. The mistake, which reverencing the opinion of the supreme court, regarded the act of Ohio as a species of rebellion, is evidence how dear our institutions are to our citizens. To those who were thus mistaken, nothing more is necessary than a correct understanding of the subject. But the case is different with men like the editors of the National Intelligencer, who did not stop to assert that all the respectable prints in Ohio condemned the proceeding.--The Ohio Monitor and the Western Herald, are unquestionably two of the most spirited, and most respectable papers in the state. The course they have taken is well known.--In fact, no paper printed in the state has said any thing in condemnation but the Cincinnati Inquisitor, and the Muskingum Messenger. The first has little influence, and the second is supposed to be actuated by personal pique toward an individual, distinguished for his active agency in support of the officers of the state. Two causes have operated to prevent discussion among ourselves.--Men of intelligence were not disposed to give this corporation the consequence it arrogate-

ted to itself. They were disposed to regard the collection of the tax as an ordinary matter.—Many instances have occurred of heavy taxes and penalties being collected from individuals, who complained of injustice and illegality, and brought suits at law for redress. In some cases they have recovered damages which have been paid by government. But they have excited no commotion in society.—Intelligent men, and men of firmness saw this matter in the same light, and deemed it improper to countenance the noise and babbling of bankers. This operated at first, and after the bank commenced suit, they deemed it incorrect to engage in discussions which might tend to interrupt the channel of justice. I know how extensively these opinions prevail among men who *think*, and I am well persuaded that this *mighty rebellion*, will not be noticed in the message of our executive to the assembly, nor do I believe the assembly will act upon the subject this session. They will neither repeal their taxing law nor restore "*he money taken*." But will patiently await the result of the present litigation, and when it is determined, if it results against them, will take such constitutional measures for redress as becomes an independent and sovereign state.

A NOTE BY THE EDITOR OF THE REGISTER.

The preceding highly interesting statement has been on hand several weeks, but its insertion was prevented by the pressure of official documents.—Since then, we have received the message of the governor of Ohio, together with a communication from the auditor of the state, accompanied with all the papers belonging to the transaction. The governor treats the matter very coldly—as a simple *question at law*, in which the bank is to be regarded only as an individual; and advises that the state should not interfere in it, any more than in the case of an "ordinary defaulter," recommending that the laws, by regular process, should give the bank a remedy, if entitled to receive it. Indeed, he makes an apology for mentioning the case at all—as being of a nature that often occurs, and would not have done it, except on account of the presumed importance which it derives from the interpretation of the powers of the corporation by the decision of the supreme court—which he hopes that that court will re-examine, &c. The report of the auditor is interesting—but the general facts therein stated are noticed in the article given above.

With the lights now afforded on the controversy between the state of Ohio and the bank of the United States, no doubt can exist as to its being a simple controversy at law, as between individuals, which must be settled as all other legal controversies are. And that the question may be fairly tried, we hope that the state of Ohio will not pass any act, or take up any proceedings on the subject, except to authorise the employment of counsel to maintain the rights of the state. When a *legal* decision is had, the state will submit—but not until then abandon its claims to tax any species of property within it, not exempted by the federal compact.

Legislature of Pennsylvania.

HARRISBURG, DEC. 21, 1819.

The following is an exact copy of the resolutions, respecting slavery in new states, which have been unanimously adopted by both houses of the legislature of Pennsylvania:

"The senate and house of representatives of the commonwealth of Pennsylvania, whilst they cherish the right of the individual states to express their

opinions upon all public measures proposed in the congress of the union, are aware that its usefulness must, in a great degree, depend upon the discretion with which it is exercised; they believe that the right ought not to be resorted to upon trivial subjects, or unimportant occasions; but they are also persuaded, that there are moments when the neglect to exercise it, would be a dereliction of public duty.

"Such an occasion, as in their present judgment, demands the frank expression of the sentiments of Pennsylvania, is now presented. A measure was ardently supported in the last congress of the U. States and will probably be as earnestly urged during the existing session of that body, which has a palpable tendency to impair the political relations of the several states; which is calculated to mar the social happiness of the present and future generations; which, if adopted, would impede the march of humanity and freedom through the world, and would affix and perpetuate an odious stain upon the present race—a measure, in brief, which proposes to spread the crimes and cruelties of slavery, from the banks of the Mississippi to the shores of the Pacific.

When a measure of this character is seriously advocated in the republican congress of America, in the nineteenth century—the several states are invoked by the duty which they owe to the Deity, by the veneration which they entertain for the memory of the founders of the republic, and by a tender regard for posterity, to protest against its adoption; to refuse to covenant with crime, and to limit the range of an evil, that already hangs in awful boding over so large a portion of the union.

Nor can such a protest be entered by any state with greater propriety than by Pennsylvania: this commonwealth has as sacredly respected the rights of other states, as it has been careful of its own: it has been the invariable aim of the people of Pennsylvania, to extend to the universe, by their example, the unadulterated blessings of civil and religious freedom; it is their pride, that they have been at all times the practical advocates of those improvements and charities amongst men, which are so well calculated to enable them to answer the purposes of their Creator; and, above all, they may boast that they were foremost in removing the pollution of slavery from amongst them.

If, indeed, the measure against which Pennsylvania considers it her duty to raise her voice, was calculated to abridge any of the rights guaranteed to the several states; if, odious as slavery is, it was proposed to hasten its extinction, by means injurious to the states upon which it was unhappily entailed, Pennsylvania would be amongst the first to insist upon a sacred observance of the constitutional compact. But it cannot be pretended, that the rights of any of the states are at all to be affected, by refusing to extend the mischiefs of human bondage over the boundless regions of the west; a territory which formed no part of the confederation, at the adoption of the constitution; which has been but lately purchased from an European power, by the people of the union at large; which may or may not be admitted as a state into the union, at the discretion of congress; which must establish a republican form of government, and no other; and whose climate affords none of the pretexts urged for resorting to the labor of natives of the torrid zone: such a territory has no right, inherent or acquired, such as those states possessed, which established the existing constitution. When that constitution was framed in September, seventeen hundred and eighty

seven, the concession that three fifths of the slaves in the states then existing, should be represented in congress, could not have been intended to embrace regions, at that time held by a foreign power. On the contrary, so anxious were the congress of that day to confine human bondage within its ancient home, that on the thirteenth of July, seventeen hundred and eighty seven, that body unanimously declared, that slavery or involuntary servitude should not exist in the extensive territories bounded by the Ohio, the Mississippi, Canada and the Lakes; and in the ninth section of the first article of the constitution itself, the power of congress to prohibit the migration of servile persons, after the year eighteen hundred and eight, is expressly recognized; nor is there to be found in the statute book, a single instance of the admission of a territory to the rank of a state, in which congress have not adhered to the rights vested in them by the constitution, to stipulate with the territory upon the conditions of such admission.

The senate and house of representatives of Pennsylvania, therefore, cannot but deprecate any departure from the humane and enlightened policy pursued, not only by the illustrious congress of 1787, but by their successors without exception. They are persuaded that to open the fertile regions of the west to a servile race, would tend to increase their numbers beyond all past example; would open a new and steady market for the lawless venders of human flesh; and would render all schemes for obliterating this most foul blot upon the American character, useless and unavailing.

Under these convictions, and in the full persuasion that, upon this topic, there is but one opinion in Pennsylvania—

Resolved, by the senate and house of representatives of the commonwealth of Pennsylvania, That the senators and representatives of this state, in the congress of the United States, be, and they are hereby requested to vote against the admission of any territory as a state into the union, unless "the further introduction of slavery or involuntary servitude, except for the punishment of crimes, whereof the party shall have been duly convicted, shall be prohibited, and all children born within the said territory, after its admission into the union as a state, shall be free, but may be held to service until the age of twenty-five years.

Resolved, That the governor be and he is hereby requested to cause a copy of the foregoing preamble and resolution to be transmitted to each of the senators and representatives of this state, in the congress of the United States.

VOTE—IN HOUSE OF REPRESENTATIVES.

YEAS.

Messrs.—

Alexander	Holmes	Rider
Anderson	Hunt	Ritscher
Ashbridge	Jarrett	A. Robeson
Baily	Jenks	T. Robinson
Blackfan	Jones	Rahrer
Bower	Kelton	Rohrer
Brackenridge	Kerlin	Roseberry
Brewster	Keys	Rutherford
Calwell	Kohler	Rutter
Cochran	Kyle	Ryon
Connelly	Lehman	Sallade
Coulter	Lightner	Scott
Craig	Logan	Wilson Smith
Crisman	McClure	Wm. Smyth
Cummin	McFee	Sonder
Devor	Mann	Stewart
Dewart	Mengel	Stockman

Dimmick	Middleswarth	Sturgeon
Doll	P. Miller	Swartzwelder
Dorance	W. Miller	Thackara
Duane	Mitchell	Thompson
Estep	Morrison	Todd
Feustermacher	Newhard	Trevor
Foulke	Noble	Uhler
Garnant	Ogle	Wallace
Gilmer	Orr	Weaver
Hanna	Porter	Wells
Hays	Povall	Wilkins
Heck	Randall	Wynkoop
Hill	Ramsay	Lawrence
Handman	Ray	Speaker—94.
	Reed	

VOTE—IN SENATE.

YEAS.

Messrs.—

Allhouse	Eyster	M'Mullin
Alter	Frailcy	Piper
Breck	Frazer	Power
Cadwallader	Fry	Raguet
Cochran	Grosh	Rogers
Davidson	Hurst	Sawyer
Dickerson	Lieb	Shoemaker
Dysart	Markley	Smith
Eichelberger	Marks	Winter
Ewing	M'Meens	Weaver
		Speaker—30.

Estimates for 1820.

[TRANSMITTED TO CONGRESS.]

Treasury department, Dec. 23, 1819.

Sir: I have the honor to transmit, herewith, for the information of the house of representatives, an estimate of the appropriations proposed for the year 1820, amounting to \$15,417,553 72, viz:

Civil list, miscellaneous and foreign intercourse,	2,404,593 93
Military department, including Indian department, and revolutionary and military pensions,	10,292,831 05
Navy department including marine corps,	2,702,028, 76

To which add permanent appropriations, viz:

Sinking fund,	\$10,000,000 00
Gradual increase of the navy,	1,000,000 00
Arming militia,	200,000 00
Indian annuities,	156,725 00
Also, navy deficit for this year,	500,000 00

11,856,725 00

The funds from which the appropriations for the year 1820 may be discharged are the following, viz:

1. The sum of six hundred thousand dollars, annually reserved by the acts of the 4th of August, 1790, out of the duties and customs, towards the expenses of the government.
2. The surplus which may remain of the customs and internal duties, after satisfying the sums for which they are pledged and appropriated.
3. Any other unappropriated money which may be in the treasury during the year 1820.

I have the honor to be, very respectfully, your obedient servant,

WM. H. CRAWFORD.

The honorable the SPEAKER
of the house of representatives.

*Treasury department,
Register's office, Dec. 21, 1819.*

SIR: I have the honor to transmit herewith, the general estimate of appropriations for the service of the year 1820, viz:

Civil department,	1,099,833 29
Submissions for do,	18,100 00
	1,117,983 29
Miscellaneous,	971,482 88
Intercourse with foreign nations,	333,277 76
	10,292,831 03
<i>Military establishment, viz:</i>	
Expenses of the army,	3,380,614 96
Permanent objects,	3,603,971 04
Military pensions	426,845 03
Revolutionary pensions,	5,066,400 00
Half pay pensions to widows and orphans,	100,000 00
Indian department,	315,000 00
	2,702,028 76
Naval establishment,	2,474,507 50
Marine corps,	227,521 26
	\$15,417,553 72

Total amount, including submissions,

I have the honor to be, sir, your most obedient servant,
JOSEPH NOURSE, *Register.*
Hon. W. H. CRAWFORD,
Secretary of the treasury.

Foreign Articles.

GREAT BRITAIN AND IRELAND.
London papers of Dec. 3.

The country continued in a disturbed state. Parliament was opened on the 23d Nov. The following extracts from the prince regent's speech will shew how the matter is viewed by the government—

"I regret to have been under the necessity of calling you together at this period of the year; but the seditious practices so long prevalent in some of the manufacturing districts of the country, have been continued with activity since you were last assembled in parliament.

"They have led to proceedings incompatible with the public tranquility and with the peaceful habits of the industrious classes of the community; and a spirit is now fully manifested, utterly hostile to the constitution of this kingdom, and aiming not only at the change of those political institutions which have hitherto constituted the pride and security of this country, but at the subversion of the rights of property and of all order in society.

"I have given directions that the necessary information on this subject shall be laid before you—and I feel it to be my indispensable duty to press on your immediate attention the consideration of such measures as may be requisite for the counteraction and suppression of a system, which, if not effectually checked, must bring confusion and ruin on the nation.

"The necessity of affording protection to the lives and property of his majesty's loyal subjects, has compelled me to make some addition to our military force; but I have no doubt you will be of opinion that the arrangements for this purpose have been effected in the manner likely to be the least burdensome to the country.

"Although the revenue has undergone some fluctuation since the close of the last session of parliament, I have the satisfaction of being able to inform you, it appears to be again in a course of progressive improvement.

"Upon the loyalty of the great body of the people I have the most confident reliance; but it will require your utmost vigilance and exertion, collectively and individually, to check the dissemination of the doctrines of treason and impiety, and to impress upon the minds of all classes of his majesty's subjects, that it is from the cultivation of the principles of religion, and from a just subordination to lawful authority, that we can alone expect the continuance of that divine favor and protection which have hitherto been so signally experienced by this kingdom."

"Very strong measures have already been proposed in parliament. Lord Sidmouth said the confidential servants of the crown had to propose measures by which evils of great magnitude might be arrested. There was a deep, growing, and malignant conspiracy to overturn the whole fabric of the constitution. It was chiefly the press that had brought the country into this peril. It was therefore proposed to visit with an increased weight of punishment, even to banishment, the repetition of seditious works. It was next proposed to impose some impediments to the meetings of large bodies of disaffected persons. Drilling was to be prevented by another bill, and magistrates authorised to seize military weapons. Lord Castlereagh stated that the inhabitants in many districts were in a state bordering on rebellion, and introduced a bill for preventing seditious meetings, which was read a first time. Earl Grey thought the situation of the country required very different remedies. A system of force, coercion and terror, would not allay but inflame the people. The *Liverpool Mercury* of the 4th Dec. says, that "the debates with which parliament had opened, are a dreadful comment on the state to which the inhabitants of this once free and prosperous nation are reduced."

The *London Courier* of Dec. 3, states that the debates in both houses of parliament the preceding night were very important. The bills for the seizure of arms, and the prevention and punishment of drilling and training, were read a second time, without a division, in the house of lords. Lord Sidmouth stated that the training had materially increased and extended, and that arms to a considerable amount had recently been procured. The seditious meetings' bill was read a second time in the commons, and the majority in its favor was 223.

The bills proposed in parliament, and which were under debate, are to the following effect. 1. A stamp duty upon all publications, except religious tracts, and such works consisting of fewer than a stated number of sheets. 2. Persons convicted a second time of a political libel, are subjected to a long imprisonment, banishment or transportation, at the discretion of the court. 3. All printers and publishers of works contemplated in the first law, are required to enter into securities, with two sureties, to be answerable for penalties. 4. Public meetings not convened by regular constituted authorities, are prohibited, unless notice of the intended meeting be given, signed by seven householders, to the magistrates, six days previous to the meeting; and it is made unlawful for persons not resident in the parish or township to attend such meeting. 5. Magistrates, upon information or suspicion, are empowered to enter any man's house, in search of arms, and to seize them if found, giving persons suffering such visits, a right of appeal to the quarter sessions.

Accounts from England generally prove that that country does not yet experience the blessings of repose, nor are there any indications that it speedily

will. On the one hand, the reformers appear to be consolidating and preparing themselves, and on the other, the government are adopting stronger measures to quell them. Accounts from the manufacturing districts, state that large quantities of pikes, of most deadly construction, had been manufactured and distributed. It was tho't the government would have recourse to very severe and arbitrary measures. From present appearances, the contest must terminate either in a revolution, or in the total subjugation of the people.

Numerous meetings of the reformers are held, who commonly attend armed, with large sticks, fitted to receive pikes, which they carry in their pockets. Others carry pistols. There does not appear to be any diminution of their numbers, but much more ardor and method than heretofore. By the presentment of the grand jury of Lancaster, it appears that the people are regularly trained to arms—and that the magistrates themselves are unable any longer to preserve the public peace under any circumstances of peculiar agitation.

The reformers strenuously adhere in refusing the use of any taxed article which can be dispensed with, especially liquors. This has a very severe effect upon the revenue.

All the English officers in foreign countries have been ordered to join their respective corps and regiments without delay.

Strong gates are making for the several entrances to Chester Castle; and 20 pieces of cannon have been mounted on the castle.

Sir Francis Burdett, has received notice that an information has been filed against him for his letter to the electors of Westminster.

Cobbett has arrived in England from New York. There had been a large meeting of the people, which Cobbett addressed at considerable length, on the subject of reform, Mr. Paine's remains, &c. A public dinner was given to him in the evening at the Castle Inn, at which the beverage consisted of pure water.

An uncommonly large number of the members of parliament are attending the house of commons. On the second reading of the bill to prevent seditious meetings, the yeas were 351, nays 128—total in attendance 479.

The *locks* and *bayonets* of the Kent militia had been ordered to be removed for safety to Dover Castle.

Certain persons, named Walker and Knight, have been arrested for high treason, near Manchester, for the part they took at a certain meeting at which many of the people were armed.

Many parts of Ireland are in a very disturbed state. The county of Roscommon has been officially proclaimed to be so.

The court of king's bench has granted a rule for a criminal information against the high constable of Coventry, for having dispersed, "with circumstances of violence," a meeting of the people for the discussion of political grievances.

On the 6th of November lord Sidmouth issued a circular to the several lord lieutenants, calling their attention to the cannon which are lying about throughout the kingdom, and which are private property. Lord Sidmouth directs that immediate steps be taken for rendering such cannon useless, or for removing them to a place of security.

The following sketch of the debates in the house of lords, on the second reading of the bill to prevent drilling and training, and the bill authorising the search for arms, throws great light upon the state of the country—

Lord Erskine remarked, that when he looked at these bills in the aggregate, he could not help saying, that he saw how little like England would England be, whenever they passed into laws; and therefore, he felt the utmost disgust at them.

The lord chancellor asked in reply, "what would England be unless the present bills were passed, and that speedily too?" He declared that the armings and trainings among the people were overt acts of treason. If any set of men were aiming by a display of "physical force" to intimidate the government, in order to bring about an alteration in the constitution, that was in reality an overt act of treason.

Lord Holland objected to the principle of the bills. He thought they went too far, and he knew that more terrible ones were yet coming on. Even lord Sidmouth had confessed that the second bill was a departure from the true principles of the British constitution, and sorry was he to assure the noble lord, that he, although the antagonist of innovation, had made greater attacks and inroads on the constitution of this country than all the Radicals put together. He could not help viewing the whole system as more likely to aggravate than assuage the evils they were aiming to cure.—Difficulties, it was to be feared, would occur in disarming the people. If the attempt should fail, their lordships' situation would be infinitely worse, while the laws must necessarily be injured by it. He objected to the entire policy.

The earl of Darnley declared he should oppose that clause in the second bill, which gave a power to search for arms by night.—A power of entering houses at night to search for arms, might lead, in the exercise of it, to gross abuses. How was a subject to know when called upon at an unreasonable hour, whether the persons were duly authorised to search for arms? He might take them for robbers, and act accordingly, if they attempted to force an entrance. To this part of the bill he had strong objections. It could not be denied that there were dangerous and alarming symptoms abroad. Demagogues went round the country inflaming the minds of the people. The people were distressed; they had nothing to eat. It was natural, therefore, that they should be disposed to listen to those who pointed out any mode of relief, however fallacious. He thought, however, the people had no ideas of arming until the occurrence of the affair at Manchester; and if ministers had permitted a proper enquiry into that subject, there would not now have been any occasion for measures of coercion.

Lord Strathmore stated, that to such an extent had the disaffection arisen, that he was confident there were at present 14 or 15000 men on the banks of the Tyne and Wear, almost in a state of open rebellion, many of whom carried pistols concealed about their persons, and unless deprived of arms, he apprehended a general rising would be the consequence. He added, however, that whatever might be the state of the northern parts of Durham, the southern were not at all tainted by the same principles. Most of the inhabitants would be ready, if necessary, to come forward in defence of the laws and constitution. The same might be said of the northern parts of Yorkshire.

The two bills were read a second time, and committed.

The earl of Darnley wished to know whether ministers were determined to persevere in that provision of the search for arms bill, which gave a power to enter houses at night. The earl of Liverpool said, there would be an opportunity of discus-

ing the point alluded to in the committee. The noble earl might then state his objections.

A debate, similar in spirit to the above, took place in the house of commons. The debates in both houses occupy upwards of fourteen columns of the London Courier, in small print.

Stocks, Dec. 1—3 per cent, consols 67 5-8.

Sir Massah Lopes, who was recently tried for bribery, was sentenced to a fine of 10,000l and to be imprisoned two years.

The decease of the king was expected—though not immediately. He is 82 years old, and wearing away.

The princess of Wales was still at Marveilles.

"*A second Daniel.*" We frankly confess ourselves to be exceedingly well pleased with a late decision of sir William Scott, in the case of the *licensed* American ship *Felicity*, captured and burnt by the *Endymion* frigate in 1814. The captors were dismissed from all responsibility, and the party who received a license to trade from the enemy of their country, condemned in the costs.

A certain 'noble lord' having married some 'right honorable lady,' after living with her five or six weeks, clad with another man's wife, also a 'right honorable lady,' no doubt! *What a set of wretches are the nobility of England!*

Fifty-nine editions of the scriptures, consisting of 270,000 copies, are now printing by the bible society.

Twenty warrant officers were ordered to the lakes in Canada.

The removal of sir Hudson Lowe from the government of St. Helena, is at last definitively arranged at his own desire, on the plea of ill health. Sir P. V. Broke is named as his successor.

Accounts have been received from the Hecla and Griper, employed on the northern expedition. They had reached the 76th degree of latitude, as far north as capt. Ross was able to penetrate. It seemed to be the opinion of the present voyagers, that there is no passage out of Baffin's Bay. But they have determined to pass the winter there, and prosecute their enquires in the spring.

The squadron under sir Thomas Hardy, by letters received in London, seems still to have a secret destination, after landing the minister at Rio Janeiro. It consists of two 74's and a 36 gun frigate, in the best condition; and the men are daily exercised at the guns, &c.

FRANCE.

On the 29th of November, the French parliament was opened by a speech from the king, which represented the affairs of France as in a flourishing condition—and was received with acclamations.

An action has been brought at Paris by M. Mollet against Joseph Bonaparte, for property estimated at 200,000 francs, said to have been taken in Spain, when he was king.

An outrage has been committed at Brest by the populace on some Roman Catholic missionaries, who were obliged to withdraw from the place.

There has been a change in the French ministry. M. M. Dessolles, Gouvion St. Cyr, and Baton Louis, are removed. The old friends of Bonaparte, (says the London Globe) lately the influential part of the cabinet, have thus sunk beneath the royalists.

Paris, Nov. 14. By an ordinance of the 10th Nov. his majesty has placed on active service 20,000 young soldiers of the class of 1818. Of this number 10,016 will be sent to the regiments of cavalry, 1,232 to the regiments of artillery, 130 to the engineers, and the remainder will be attached to the departmental legions. The departure of these

young soldiers for their respective destinations will be terminated by the 20th of next Dec. They will enjoy, to the eve of their departure, the power of procuring substitutes.

SPAIN.

The bands of robbers in Estremadura are totally destroyed or dispersed. Melchior has escaped and is said to have fled to Portugal, disguised as a monk. Profound tranquility prevails throughout the whole north of Spain.

The king of Spain, on the occasion of his marriage, has granted an amnesty to prisoners and subjects in rebellion, with some exceptions.

Letters from Cadiz, dated the 24th Nov. state that in consequence of the heavy rains experienced in Andalusia, the malignancy of the yellow fever has considerably abated. In Seville the deaths had been reduced to only eight a day, and at Cadiz they averaged only 80, being a diminution of between 25 and 30 a day. The number of sick was lessened from 12,000 to about 7,000.

Madrid, Nov. 2.—It is said that a treaty has been concluded between our cabinet and that of London, by which we are assured of the protection of the British flag, to make our rights respected by the United States, and to maintain tranquility in other parts of America which desire to separate from the mother country. It is added, that as soon as circumstances permit, a considerable reinforcement will be sent to increase the expedition which has arrived at the Havana, and to second the troops which are to defend our possessions in the Floridas.

GERMANY.

Germany, in general, still seems unsettled, and great anxiety apparently prevails. There is much dread of secret societies, and many reports of bands of robbers. A new congress of envoys from the several princes, was to be held at Vienna on the 20th November.

The king of Saxony has made the duke of Wellington a present of a most magnificent desert service of china. On the plates, nine dozen in number, are painted the victories and triumphal processions of the duke. The edge of the plates is ornamented with a golden wreath of laurel and oak, bound with white and green ribband. Each plate cost 40 dollars.

The grand duke of Weimar has introduced the censorship of the press into his dominions.

Sandt, the murderer of the celebrated Kotzebue, is stated to have recovered from the wounds which he inflicted on himself, and is soon to be brought to trial. He has arrived at Mentz.

The regular Prussian army consists of the following troops. Guards, 17,908; infantry, 104,712; cavalry, 19,232; artillery, 15,718; total, 159,570. The whole of the landwehr consists of 438,537 men, in 280 battalions and 276 squadrons.

DENMARK.

Much confusion prevailed at Copenhagen on account of the Jews. The king had interfered in their behalf, but neither the people nor the army appeared to pay great respect to him in this matter. A vessel, laden with 500 Jews, flying from persecution in Germany, had arrived at Copenhagen; but they were not permitted to land.

EAST INDIES.

A London paper says that by the earthquake in India, June 16, the whole district and territory of Kutch, a country situated on the N. W. of Bombay, and including several towns and villages, have been destroyed with 2000 inhabitants.

CHINA.

From a London paper. Interesting advices have

been received from China, through Mr Milne, of the London Missionary Society, resident there. That extensive empire is greatly agitated, and apparently on the eve of revolution; the country is filled with secret societies, which numerous executions cannot put down; one hundred per month are executed in the single province of Canton. The names of some of the societies are ludicrous enough, viz: White Jackets, Red Beards, and Short Swords! A dreadful earthquake and famine lately occurred in China, and which the superstitious natives consider as portending the fall of the present dynasty.

BARRIARY POWERS.

The plague has ceased at Algiers, but still raged at Tunis, where it had carried off 60,000 persons.

SOUTH AMERICA.

We have noticed the seizure, by Lord Cochrane, of a large quantity of specie belonging to the owners of the brig Macedonian, of Boston. A representation of the case has been made to the government of the United States, and a vessel of war is about to be despatched immediately, to demand justice agreeable to the laws of nations.

A decree has been issued by Arismendi, vice president of Venezuela, claiming the hides of all the black cattle in the country, as due to the government.

A Chilean squadron that sailed from Valparaiso against Payta, took that town and burnt it, after the manner of general Ross and admiral Cockburn. The patriot army had also taken the city of Chilian, and several small towns near it, in one of which they are said to have put every male inhabitant to the sword! They then marched against Valdivia, the last place held by the royalists in Chili. Cochrane was again blockading Lima.

A Jamaica paper states that col. Rafter and the British officers were not shot at Porto Bello. They had been tried for a conspiracy and acquitted. Lord Cochrane had offered eight Spaniards for each British officer, and fifteen for col Rafter, and ten for a Mr. Moore.

Bolivar still maintains his conquests in Grenada, and the people are flocking to his standard. It was supposed he would return soon to Venezuela, a decisive battle being expected to take place near Calabozo—for which the opposite parties are collecting all their forces.

The privateer Libertador, with one of her prizes, has been captured by a British vessel of war, and carried into Jamaica, on the charge of smuggling.

The famous Mc Gregor, about the 1st Sept. sailed from Aux Cayes with 250 men, with which he succeeded in taking from the Spaniards the town of Rio de la Hache—after holding it five days, however, the latter rallied, and made their attack in turn. After a short contest, Mc Gregor fled for safety, leaving his men to shift for themselves. These deluded people, finding it useless to make any further defence, resolved to blow themselves up in a fort, rather than fall into the hands of the Spaniards, which purpose they effected!

CONGRESS.

IN THE SENATE.

December 23.—Mr. Macon offered the following resolution for consideration:

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of prescribing by law the mode of quartering soldiers, during war, in the houses of citizens, when the pub-

lic exigencies may make it necessary, and the mode by which private property may be taken for public use; designating particularly by whose orders property may be taken, the manner of ascertaining its value, and the mode by which the owner shall receive, with the least possible delay, the just compensation to which he is entitled by the constitution of the United States. [Agreed to Monday following—the 27th.]

After disposing of several petitions and bills, the senate adjourned to Monday next.

December 27.—Mr. Lloyd, a senator from the state of Maryland, and Mr. Johnson, of Louisiana, appeared this morning and took their seats.

December 28.—The bill authorising a subscription to Waite's state papers, was read the third time and passed by a small majority.

The two messages from the president of the U. States, given below in the proceedings of the other house, were received and read.

Mr. Logan, of Kentucky, submitted the following resolutions for consideration:

Resolved, That as the content and happiness of the people cannot be expected under collisions and the want of harmony between their governments; that, therefore, the committee on the judiciary be instructed to enquire whether provision may not be duly made, by law, for the removal from any state of the branches of the bank of the United States, upon the request of the legislature of such state, except during those periods of war when the public good and the exigencies of the nation shall otherwise require.

Resolved, That the said committee be also instructed to enquire whether the charter of the bank of the United States cannot be so amended as that any citizen of the United States may obtain information, from the bank or its branches, of the amount of debts due, or which shall have been contracted therein, by any person or persons whatsoever, either as principal or endorser.

And that, in order more effectually to guard against the partialities and favoritism, into which institutions of the kind are so prone to run, and to prevent, in some degree, as a consequence thereof, sacrifices of property, and the reduction of civil and political rights, *Resolved*, That the said committee be further instructed to enquire whether provision cannot be regularly made by law, for requiring that from and after the — day of — the proper officers of those banks shall certify to this government the names, with the sums, of all persons or firms, indebted in their respective banks, where the amount shall exceed the sum of — dollars, and the duration of those debts shall have been for a greater length of time than —.

And the senate adjourned.

December 29.—The resolution submitted yesterday by Mr Logan, respecting the bank of the U. States, was taken up.

After some remarks on the course of proceeding, the resolution was postponed until Monday next.

The president laid before the senate a communication from the secretary of war, transmitting a statement of moneys transferred, during the recess, from one appropriation to another, by authority of the president of the United States, their application, &c. agreeable to the act of 3d March, 1809.

HOUSE OF REPRESENTATIVES.

Thursday, Dec. 23.—Mr. Hill, of Mass. submitted for consideration the following resolution:

Resolved, That a committee be appointed to enquire into the expediency of establishing a national

university within the district of Columbia; and that the committee have leave to report by bill or otherwise.

After some remarks from Mr. Hill—the house refused to agree to the resolution.

Mr. Hendricks, of Indiana, offered for consideration the following resolution:

Resolved, That the committee on public lands be instructed to enquire into the expediency of amending the law of forfeiture, that the actual settler and cultivator of the soil shall have a preference of re-entry after his lands shall have been forfeited to the United States, and before they shall be exposed to public sale.

On the question to agree to this resolution, the house divided without debate—and it was agreed to—64 votes to 53.

After other business,

The order of the day being called for, on the unfinished business of yesterday, viz. the bill to authorise the payment for horses or other property lost, captured or destroyed, during the Seminole war—

And the consideration of the same was postponed—ayes 32, noes 60.

A bill, which passed the senate, to provide for the accommodation of the circuit court for the district of Columbia, on being ordered to be read a third time, was rejected.

The rest of the day was spent on the bills reported by the committee of ways and means, for making additional appropriations for the support of the navy.

Little progress was made in the business, before the committee rose, reported progress, and obtained leave sit again.

And the house adjourned until Monday, [to give the upholsterers an opportunity to finish the furnishing of the two houses. It is hoped that the magnificent hall of the house of representatives, being also improved in its appearance by crimson curtains, will better serve the great purpose for which it was built—that of being heard in.]

Monday, Dec. 27. Mr. Butler, of Louisiana, appeared to-day, and took his seat.

Various petitions were presented and referred; and many reports on private claims received, &c.

Mr. Campbell, from a select committee, reported a bill providing for taking the fourth census of the inhabitants of the United States; which bill was twice read and committed.

On motion of Mr. Cannon, it was

Resolved, That the secretary of war be directed to lay before this house a statement, shewing the whole amount of money that has been expended by the general government on the military academy at West Point in the state of New York; also the number of cadets that have been educated there from each state, district or territory, and their names; also an estimate of the sums necessary to be appropriated for said institution for each of the next succeeding three years.

The Speaker laid before the house a memorial from sundry citizens, late cadets at the military academy at West Point, alleging certain improper conduct in the officer commanding at the academy, and requesting an enquiry into the same; accompanied by sundry papers in support of the charges made.

The memorial and papers were, by a vote of 70 to 46, referred to the military committee (in preference to a motion of Mr. Foote to refer them to the judiciary committee) and ordered to be printed.

Mr. Storrs submitted two resolutions having for

their object a statement of balances remaining in the treasurer's hands, agent of the war and navy departments, respectively.

Mr. Whitman, offered a motion for an enquiry into the expediency of establishing a territorial government for the district of Columbia—which, after debate, was rejected by a small majority.

Tuesday, Dec. 28. Mr. Bloomfield, from the committee on revolutionary pensions, to whom had been referred an enquiry into the manner in which the pension law of March 18, 1818, had been executed, &c. made a report, embracing a correspondence with the secretary of war on the subject; which was read and ordered to be printed.

The following message was received from the president of the United States, by Mr. J. J. Monroe, his private secretary.

To the senate and house of representatives of the United States.

On the 23d of February, 1803, a message from the president of the United States was transmitted to both houses of congress, together with the report of the then secretary of state, Mr. Madison, upon the case of the Danish brigantine Henrick and her cargo, belonging to citizens of Hamburg. The claim was recommended to the favorable consideration of congress. In February, 1805, it was again presented by a message from the president to the consideration of congress; but has not since been definitely acted upon.

The minister resident from Denmark, and the consul general from Hamburg, having recently renewed applications in behalf of the respective owners of the vessel and cargo, I transmit herewith copies of their communications, for the further consideration of the legislature; upon whose files all the documents relating to the claims are still existing.

JAMES MONROE.

22d December, 1819.

The message was read and referred to the committee of claims.

A message was also received from the president of the United States, transmitting to congress a report of the commissioner of the public buildings, and sundry other documents, exhibiting the present state of those buildings, and the expenditures thereon during the year ending the 30th of September last; which message was read.

The speaker laid before the house a communication from the secretary of the treasury, transmitting a report from the director of the mint of sundry assays of foreign coins, made in obedience to the act of April 29, 1816; which was read and ordered to be printed.

On motion of Mr. Hooks, it was

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of providing by law for perfecting titles for land sold for direct tax, where the collector is dead or removed without having made titles for such land.

On motion of Mr. Williams, of N. C.

Resolved, That the secretary of war be directed to report to this house the aggregate amount of the military peace establishment of the United States actually in service, for each and every year since the year 1815; distinguishing between the number of officers, non-commissioned officers, musicians, and the number of privates.

Mr. Taylor, of N. Y. rose and stated, that he was instructed by the committee to whom had been referred the resolution of the 15th instant, directing an enquiry into the expediency of prohibiting the extension of slavery in the territories of the United

States, to ask to be discharged from the further consideration of the subject. Mr. T. gave as a reason for this motion, that the committee had found that, after a free interchange of opinions, they could not, consistently with their ideas of public duty, come to any conclusion, or agree on any report which could promise to unite in any degree the conflicting views of the house on this question.

The question was taken on discharging the committee from the further consideration of the subject, and agreed to.

Mr. Taylor then, as he observed, to bring the question before the house, at a proper time and in a distinct shape, and not with a view to invite a discussion on it at this time, moved the following resolution:

Resolved, That a committee be appointed with instructions to report a bill prohibiting the further admission of slaves into the territories of the United States west of the river Mississippi.

An interesting little debate followed. Mr. *Lowndes* was opposed to the form of the expression—he thought they would indicate an agreement by the house to the principle of the subject. Mr. Taylor thought otherwise—the resolution would not commit any member to the abstract question. He presumed there were no members, he knew of none, who doubted the constitutional power of congress to impose such a restriction on the territories, and the only question which the bill could present, was one of expediency. Mr. *Rhea* thought it was not a fair way of coming at the question. The passage of the resolution would have the appearance of conceding the principle, undiscussed. Mr. *Smith* of Md. also opposed the resolution on like grounds, and moved to postpone its consideration until the second Monday in January. Mr. *Mercer* advocated the same course, though at the proper time “standing here as the representative of the people west of the Mississippi, he should record his vote against suffering the dark cloud of inhumanity, which now darkened his country, from rolling on beyond the peaceful shores of the Mississippi.” Messrs Taylor and Smith spoke again. Mr. *Holmes* opposed the resolution—the votes for the instruction would be considered as a pledge to support the bill, and he thought that the question now presented was different from that of the Missouri bill; that whatever he might think of prohibiting slavery in the territories of the United States, he entertained no doubt that the house had no right to inhibit a state in this particular. Finally, the resolution was postponed by a vote of 82 to 62.

The house according to the order of the day, resolved itself into a committee of the whole, Mr. *Nelson* of Virginia in the chair, on the bill making certain further appropriations for the support of the navy of the United States.

[When this subject was before the house on Thursday last, some discussion took place on the subject of transfers of appropriations from one head of expenditures to another, which Mr. *Storrs* commenced, and in which Mr. *Smith* of Md. Mr. *Randolph*, and Mr. *Mercer* took part. When that discussion was adjourned, it was with the understanding that, on the subject being resumed, the chairman of the committee would communicate to the house such information on the subject as might be obtained by application to the proper department.]

Mr. *Smith*, of Md. accordingly rose and took a historical view of the provisions of the law respecting appropriations, and authorizing the transfer of appropriations from one head of expenditure

where it was not wanted, to another where the amount appropriated had fallen short of the necessary expenditure. He also laid before the house several official papers, exhibiting the practice at the public offices in regard to transfers of appropriations, &c. Whatever might be the opinions of the members of the house in regard to the expediency, generally, of transfers of appropriations, he affirmed that no blame could attach to the secretary of the navy, who has but fulfilled the provisions of existing laws. Having finished his view of this part of the subject, Mr. S. proceeded to explain the causes which made necessary the additional appropriations proposed in the bill before the house, &c.

The discussion, thus commenced, was prolonged until sun-set, when the committee rose without having come to any conclusion on the subject before them. Mr. *Storrs*, Mr. *Mercer*, Mr. *Clay*, Mr. *Randolph*, Mr. *Lowndes*, and Mr. *Trimble*, successively followed Mr. *Smith*. The discussion turned wholly on the merits of the present mode of administering the fiscal branches of the several departments of the government—particularly as relates to the surplus fund and to the transfers of appropriations.

After the committee had risen and obtained leave to sit again—

Mr. *Lowndes* submitted for consideration the following resolutions, which, during the preceding debate, he had indicated his intention to move:

Resolved, That the committee of ways and means be instructed to enquire into the expediency of providing by law, that whenever any monies shall have been ordered for the use of the department of war or of the navy, by warrant from the treasury, such monies, or any part thereof, which shall remain unexpended in the hands of the treasurer, for one year after the date of such warrant, shall be carried to the account of the surplus fund.

Resolved, That the committee of ways and means be instructed to enquire into the expediency of providing, by law, that the secretary of the treasury shall be required to add, to the estimates of the new appropriations which may be required for each year, a statement or estimate of all appropriations, and unexpended balances of appropriations, either in the treasury, or in the hands of the treasurer, as agent of the war and navy departments, which may have been made by former acts, and may be subject to the disposition of the executive government, within the year to which the estimates apply.

Mr. *Randolph* having indicated an intention to propose an amendment to the resolutions, (embracing a repeal of the act of March 3d, 1809, which authorises the transfer of appropriations from one object to another in certain cases)—and Mr. *Lowndes* having briefly remarked on this proposition,

The resolutions were, on motion of Mr. *Tracy*, ordered to lie on the table.

The Speaker laid before the house a letter from the secretary of war, transmitting topographical reports, made with a view to ascertain the practicability of uniting the waters of Illinois river with those of Lake Michigan, which was read, and ordered to lie on the table, and be printed.

And the house adjourned.

Wednesday, Dec. 29. After hearing and disposing of a number of reports on private petitions, &c.

The house then, on motion of Mr. *Lowndes*, proceeded to consider the resolutions offered by him yesterday.

After offering a few remarks to elucidate the object of the modification he wished to propose in the first resolution, as well as on their object generally,

Mr. *Loxbrules* modified his first proposition to read as follows.

Resolved, That the committee on ways and means be instructed to enquire into the expediency of providing by law that any moneys, although "ordered for the use" of the department of war or of the navy, by warrant from the treasury, which shall remain unexpended in the hands of the treasurer for more than two years after the expiration of the calendar year in which the act of appropriation shall have been passed, shall be carried to the surplus fund, as they would be if not ordered for the use of such departments, excepting always such moneys as may be appropriated for a purpose for which a longer duration is specially assigned by law.

The second resolution was then read, and, with the first, as amended, agreed to by the house.

A resolution offered by Mr. Warfield, having for its object to report a bill to provide suitable apartments for the circuit court of the district of Columbia, was refused to be agreed to.

The house then resumed the unfinished business of yesterday, and resolved itself into a committee of the whole, Mr. *H. Nelson* in the chair, on the bill making an appropriation for the support of the navy, in addition to the appropriation of the last session.

Mr. *Storrs* moved to amend the bill by inserting the following as a new section:

"And be it further enacted, That the sums appropriated by this act shall be solely applied to the objects for which they are respectively appropriated and to no other, notwithstanding the authority vested in the president of the United States by the first section of the act, entitled "An act further to amend the several acts for the establishment and regulation of the treasury, war, and navy departments," passed on the 3d day of March, 1809.

This amendment was agreed to--ayes 58, noes 59.

Some further debate then took place on the subject of appropriations generally; in which Mr. *Randolph* and Mr. *Smith*, of Md. took part, and Mr. *Cannon* spoke on an incidental point.

The three bills before the committee being gone through, were reported to the house.

[These bills grant appropriations to the amount of 443,050 dollars, for the support of the navy for the year 1819--that is, to supply deficiencies; make a partial appropriation for the subsistence of the army in 1820, and continue the employment of certain additional clerks.]

On the question to concur with the committee of the whole on the amendment above stated as having been agreed to, after some further debate, the vote was, ayes 59, noes 80. So the amendment was rejected.

The three bills were then severally ordered to be engrossed, and read a third time to-morrow.

The engrossed resolution, authorising a further distribution of the journal of the convention which framed the constitution, was read a third time, passed and sent to the senate.

Thursday's proceedings.

In the senate--nothing of general interest done.

In the house of representatives. The engrossed bill making additional appropriations for the support of the navy for the year 1819; the engrossed bill making partial appropriations for the military service for the year 1820; and the bill authorizing the continuance of certain clerks in the offices of the third auditor and second comptroller, were severally read a third time, passed, and sent to the senate or concurrence.

A motion made by Mr. *McLane*, of Del. to enquire into the expediency of authorizing a subscription to the stock of the Delaware and Chesapeake canal, and another made by Mr. *Kent*, of Md. to enquire into the expediency of admitting a delegate for the district of Columbia, as allowed to other territories--were both negatived.

The house then, in committee of the whole, went into a consideration of the bill for admitting the state of Maine into the union--a debate arose, chiefly to defer the matter for a time, as it would seem until the Missouri business was disposed of. The committee rose by a majority of one, and reported progress and had leave to sit again.

CHRONICLE.

Present Prices of Country Produce, in Baltimore: FROM THE AMERICAN FARMER.

	PER.	PRICE.
Actual sales of WHEAT--white, bush.	\$1 28 to 1 12	
red,	1 05 1 07	
New corn, - - - - -	0 52 0 55	
Old do. - - - - -	0 57 0 60	
Rye, - - - - -	0 56 0 00	
Oats, - - - - -	0 45 0 00	
Turnips, - - - - -	0 50 0 00	
Hay, - - - - - ton.	17 00 18 00	
Straw, - - - - -	11 00 00 00	
Pork, - - - - - cwt.	6 50 7 00	
Butter, - - - - - lb.	0 25 0 37	
Eggs, - - - - - doz.	0 25 0 00	
Chickens, - - - - -	2 50 3 00	
Turkeys, - - - - - piece.	1 00 1 25	
Geese, - - - - -	0 62 0 75	

New Orleans Nov. 27. By a letter from the Sabine, we learn that on the 31st ult, col. Perros, commandant of San Antonio, with three hundred Spaniards appeared on the bank of that river, and that capt. Beard with a detachment of American troops, was preparing to dispute his passage into the territory of the United States, when the Spanish officer sent in a flag of truce, with assurances of his friendly views, and deprecating all idea of open hostilities. The Spaniards had previously captured all the Americans whom they fell in with, not only the soldiers of general Long, and the Comanche traders but those who had peaceably settled in Texas, as cultivators of the soil. By the return of the flag capt. Beard transmitted a letter demanding from the Spanish commander, the release of all his American prisoners, except such as had violated the laws of nations. This demand was immediately complied with, and permission was given to the Americans to secure their property. An American officer was despatched to see the arrangement completed. It is understood that his party of Spaniards having cleared the province of Long's men, and those who had been engaged in unlawful trade, will return to the Trinity, where they have 1000 men, intended to act against the Comanche Indians.

Missouri question. A public meeting of the citizens of Baltimore was held at the court house on Tuesday evening last, the mayor of the city in the chair, at which, after a lively debate, it was resolved as the opinion of the meeting, that the future admission of slaves into the states which may hereafter be formed west of the Mississippi, ought to be prohibited by congress--and a committee was appointed to prepare a memorial accordingly, which has been done and published.

The U. S. brig *Enterprise* is about to cruise in the gulf of Mexico, to look after the pirates which infest it.

NILES' WEEKLY REGISTER.

NEW SERIES. No. 19—VOL. V.] BALTIMORE, JAN'Y 8, 1820. [No. 19—VOL. XVII. WHOLE No. 435

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT 75 PER ANNO.

My friend *Joseph Lancaster*, has favored me with a copy of a long letter addressed by him to Mr. *Clay*, speaker of the house of representatives, on NATIONAL EDUCATION. The subject, of overwhelming importance in itself, is handled by a master, and abounds with rational amusement, as well as solid instruction. If at all convenient, it shall be inserted in our next REGISTER; but the fact is, that more room is so much wanted, that we can hardly undertake to promise any thing! It is necessary that, on my private business, I should proceed to Washington city next week, else a supplement would be published to afford a little relief. But this, with many other things needful to attend to, must be delayed until my return.

"*Royal paper.*" A friend in congress, having reference to my notice of the letter received by me from the clerk of the house of representatives of the United States, in the last REGISTER says—"I am told that Mr. *Dougherty* had not a dozen sheets of such paper in his office, but had unfortunately fallen upon one of them, which he sent to you." This is well—I am quite satisfied in respect to this matter. Let the past suffice, in the belief that we shall do better in future. It seems that the paper now purchased for congress is American.

Cuba and the Floridas, &c.

The London Times concludes an article respecting the proposed cession of the Floridas to the United States, as follows:

"The Floridas are of such importance to the United States, and of so little to Spain, that we wonder much less at the eagerness of one party to gain, than of the other party to keep them: and if the pertinacious retention of these provinces by the Spaniards should cost them what yet remains of their empire in the west, the court of Madrid will shortly add its own wonder at this display of obstinacy to that which is felt by the rest of Europe.—It is clear to every man's comprehension, that the United States will not give up their hold of the Floridas, but will have them by one means or other. This must be as obvious, or nearly so, to the British cabinet as to the world at large; and it leads us to presume, that the obstacles opposed to the ratification of the treaty have not been deliberately furnished by Great Britain, inasmuch as the certainty that the Floridas must belong to the United States, brings with it an invincible necessity for the acquisition of Cuba by the British crown. The king's ministers must therefore be indifferent, whether the Floridas change masters by treaty or in spite of it: our business is to look to our own security; and to us it is precisely the same thing whether that security, so far as relates to the gulf of Mexico, be comprised by the want of will or want of ability in the Spanish government to protect us against the growth of the republican power. Spain may temporize; but if the United States will not submit to be temporized with on the subject of the Floridas, this country ought not in respect of Cuba. The two transactions are necessary parts of the same whole, and must be, if possible, put out of hand together."

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REMARKS BY THE EDITOR OF THE REGISTER.

The Floridas may be considered as naturally belonging to the United States—or, in other words, as rightfully to be possessed by the power holding the adjacent countries of Georgia, Alabama and Mississippi; for they are *without value* to any other, except as a means of annoyance to the former, in time of war, or for the encouragement of smuggling and piracy, in a season of peace. It is then accordant with every principle of reason and of right that they should be attached to the United States, who are bound to consult their own safety. As an ancient territory of Spain, though worse than useless to her, we are not prepared, just now, to assume the sovereignty on the broad plea of *necessity*, though two opportunities have passed in either of which we ought to have taken absolute possession of the country, and it might have been done with a sound regard to economy of life and treasure; though we may claim it as a property due to us by contract, as an indemnity for injuries received. Certainly, we cannot permit the territory to pass into the hands of any other power, for it is *impossible* that that power can have any purpose in view but to hold it as a check and annoyance to the United States.

It appears to us that, at this time, it would be impolitic to carry the late treaty with Spain into effect, in all its parts, as recommended by the president in his late message to congress, unless there are some reasons to urge the procedure that we are unacquainted with—not that we are willing to wait the result of further negotiations with Spain, unless assured that they must result, and immediately, in something decisive. The Spanish government is evidently destitute of honor and honesty, and much talk about the differences between us cannot be productive of good. We are morally certain that the location of the country will not be changed, nor our ability to take it be lessened, by any delay which a sound policy shall appear to dictate. It should be so managed and understood, that we will not suffer the Floridas to be transferred to any but ourselves—that we have a lien upon them which we will enforce at discretion, and in our own manner and time. But here we should like the business to rest at present. We are not actually in want of the country at this moment—and all that is needful to be done is to declare that we will have it when we do want it, unless justice is rendered to us by Spain in some other way—of which there is not the least prospect. Spain is not able, nor has she the will, to indemnify us on account of spoliations.

Speculation, of late years especially, seems to have penetrated into every thing. It is intimated that a very large amount of the claims of our merchants against Spain, has passed into the hands of persons anticipating the views of the government; that others, equally *prudent*, have dabbled deeply in the Florida lands, &c. having fabricated many claims to extensive tracts for small sums of money, and the like. Perhaps, it is the nature of things that circumstances such as these must sometimes occur—but considerations arising out of them should not have any influence upon government to precipitate itself into a controversy, which may cost us ten times the value that the sovereignty has been rated at, and bring about consequences of in-

initely greater importance than the acquisition we seek.

We were of opinion that Great Britain opposed the transfer of the Floridas to the United States. We are now inclined to think differently. She aims at Cuba, as "invincibly necessary" to her in the event of such a transfer, and will be glad of any pretext to get possession of that most important island. Havana is the real key of the vast gulf of Mexico. This is the law of nature, established by the winds and currents. It is true, that a very large part of the British West-India trade, homeward bound, has to pass through the stream between Cuba and Florida; but the latter presents no point of attack upon the trade of Great Britain, a fiftieth part as vulnerable to her, as the possession of the Havana would afford against the United States.—The British trade passing through the gulf stream is, certainly, of great value—but what is it compared with that of the United States, which must pass through the same channel at a future day? The "valley of the Mississippi" already possesses many more inhabitants than *all* the British colonies in America; and, for a long time to come, we may expect that the population will be doubled every ten years, or oftener. It contains a thousand millions of acres, three-fifths of the territory of the United States, and is capable of supporting 100 millions of people! The surplus produce of all this vast country, together with that of the great and rich districts immediately bordering on the gulf, whether they are to be thrown into the common market of the world or transmitted to the Atlantic states, *must* find their egress by this channel, of which Havana, with one of the finest harbors in the world, as well as one of the strongest places that we know of, is the natural key, in the hands of a maritime power, such as Great Britain; and it is impossible that we can, with sane minds, do any thing that may put her into the possession of it. It is a point which, as it were, severs the republic into two parts; and the commander of the gulf will, seemingly, be the proper ally, friend or dictator of the vast regions of the west—which, however great it may become in arms, arts and resources, *never* can have a marine force sufficient to protect its export trade—a trade which, carrying off the *surplus*, though exceedingly small in amount compared with the whole product, fixes the value of all such product, except such part as the producers of grain, cotton, &c. consume of themselves or in their families. In our opinion, the facts here presented for consideration deserve the most serious reflection, and we think that the patriot will see in them some of the strongest bond to holds the union together—they are the bonds of mutual interest between the east and the west. For, though the power of population may rest beyond the Alleghanies, as, it is probable, will soon be the case, yet it is on the Atlantic coast *only* that ships of war can be built and rendered efficient to defend the external commerce of the whole republic.

Cuba is much the most valuable island in the West Indies not only the largest, but has also the most luxuriant soil. It is but partially brought under cultivation, though its population is probably between 6 and 800,000, of whom about four fifths are slaves. Its natural advantages are exceedingly important, and its resources sufficient, under a liberal administration, to support a highly respectable government, and be peopled by 5 or 6 millions of persons without inconvenience, on account of

their numbers. There is an "invincible necessity" to us, that this grand island should become independent, or remain as it is, in the possession of some weak power, such as Spain. Is there no reason to apprehend that such a king as Ferdinand, may be seduced or intimidated to transfer to Great Britain this darling object of her ambition, though he thereby shall cause his possessions in Mexico, &c. to be in a state of abject subserviency to her? We ought not to be surprized at any thing which Ferdinand may do—he has so much acted against the rules of honest and enlightened men, that he can do what he pleases without our stopping to enquire into his motives! It is believed that a revolutionary spirit prevails among the people of Cuba, and that they will resist a transfer of the sovereignty of their island, and declare it independent, under the guarantee of some friendly power, in case it should be attempted. We are most deeply interested in this matter; but all the commercial world, Great Britain excepted, ought to be favorable to such an event, as a check to the monopoly of power in any one. We do not wish to have any thing to do with Cuba; but as it has pleased Providence to locate this island in such a commanding position, it is impossible that we should be indifferent to its fate.

Britain aims to controul the commerce of the world, and realize her boast that—

"The winds and seas are Britain's wide domain,
"And not a flag without permission spreads."

She has an establishment in the Baltic—Gibraltar and Malta are her own, and she is the *protector* of the Ionian islands. She holds the Cape of Good Hope and the isle of France, as the keys of India and China, generally; and by her establishments at Bombay, &c. controuls the trade of the Red Sea, the Arabian sea, and Persian gulf. She superintends the commerce of the vast bay of Bengal; by possessing the island of Ceylon, and her new settlements in Sumatra are designed to close up the straits of Malacca; she yet wants the command of those of Sunda, and her influence is complete in this quarter. But the possession of Cuba would be more important to her and more detrimental to us, than all these—and more injurious to the freedom of the common trade of the world. She will obtain it—if she can. She regards the United States as her great rival in manufactures and commerce, and will do all in her lies to hinder our progress to the power she fears.

Whilst therefore, we freely admit that the United States may of right possess themselves of Florida, at any time—but as that time may be rendered subservient to our discretion, without any probable detriment to the issue of the affair,—we hope that the matter will be fully considered before congress resolves to carry the unratified treaty with Spain into effect, in all its parts, notwithstanding this course is recommended by the president, with a frankness of responsibility that is to be admired, though the object proposed may not be approved. The present state of Great Britain, as well as that of the United States, ought also to be considered. War must follow the occupation of the Floridas by us. Is not the former so situated as to desire a foreign war that peace may be preserved at home? Is the latter well conditioned to enter upon a contest with the other? Let Britain say what she will, in the event of our getting possession of the Floridas, by treaty or otherwise, her object is Cuba, or a quarrel with us.

The "Missouri Question."

A pamphlet has just been published at Philadelphia, entitled, "*Free remarks on the spirit of the federal constitution—the practice of the federal government—and the obligations of the union respecting the exclusion of slavery from the territories and new states—by a Philadelphian.*"

We have, with much attention and entire satisfaction, read and considered this able and eloquent work, understood to have been written by *Robert Wolsh, jun. esq.* The power of its facts are supported with a force of argument, that like a torrent carries all before it; yet the matter is so managed that the most *sensitive* in opposition cannot be offended by its manner. It contains a vast fund of information on the question that now so deeply engages the public mind,—and, in our opinion, clearly establishes the position, that congress not only has the right and power to prohibit slavery in the new states and territories, but that it was *always* intended the federal government should prohibit it in them, unless restrained by special compact to the contrary.

This pamphlet contains 116 pages,—but the matters treated of are already presented with so much brevity, that we know not where to begin, or what to say, that may convey an idea of its *substance* to our readers without injury to the work; and it abounds too, with extracts from the writings and speeches of the most eminent men, which cannot be rendered by abstract. It is a history of the *feelings* and proceedings of the old congress, of the convention that adopted our present constitution, and of the state conventions which ratified it, so far as those feelings or proceedings were interested by the condition of our black population, or the admission of new states into the union. It proves the original design, that slavery should be tolerated only in the states "*then existing*"—shews that Virginia, and other states, clearly understood this to be the meaning of the powers delegated to congress,—and, in evidence of such an interpretation being a just one, the author quotes the agreements of North Carolina and Georgia for a surrender of their western territories, in which what was considered as a *fundamental* article in respect to the admission of new states—the prohibition of slavery, was *expressly* guarded against by those states; demonstrating, as we firmly believe the fact to be, that the right and power of congress to keep the new states free from an *acknowledged evil*, was not denied, or doubted, until just now; but, on the contrary, admitted or acquiesced in, in every case. But we must refer our readers to the pamphlet itself, which we regret to see that the Philadelphia publisher holds a copy-right of. It is one of those things that, in a time like this, should be the common property of the nation, and be found at the fire-side of every thinking man in the United States.

We shall add a few remarks of our own, and dismiss this subject so far as we can, for the present, after previously stating that we had prepared much matter upon it, which we shall *now* put aside as entirely useless, under the belief that measures will be taken to give this pamphlet the free circulation which its important subject and able manner demands.

Every new state admitted into the union has entered it under certain legislative restrictions;* and

*For example, (for which we are indebted to the pamphlet above-mentioned),—though the original states might import negroes until the year eighteen

no state is more than a *qualified* sovereignty. Ohio, &c. are said to have been admitted on "an equal footing with the original states, in all respects whatsoever," yet slavery was forever forbidden in them. It is well known that the power of representation, as derived from slaves, was severely contested when the constitution was framed—for those opposed to it thought that horses and oxen might as justly have weight in government as that description of persons—but, for the sake of harmony, a compromise was effected, in which to the states "*then existing*," this advantage was given, with the proviso also, that congress should not prohibit the "migration or importation," *into them*, of any persons that they thought proper to admit, until the year 1808. So far as the contract goes, every considerate man will support it; but the compromise had reference only to the states *existing* at the time it was made; and we venture to say that no man *then* thought of extending the principle any further. May these be secured in what they regard as their property, in the fullest extent, with all the privileges which it confers on them over others—for such is the constitution; but let them be content with the power thus conceded, and agree that the contract has been entirely complied with, much to their benefit—for such, it appears, is the fact.

All men admit slavery to be an evil—a curse on the country; the most distinguished citizens of Virginia have always regarded it so, and had no wish to entail it upon others. Nor can we see any possible injury to result to the old states from checking its extension into new states west of the Mississippi, which *must* have for its inevitable effect to render the curse perpetual. It is impossible to believe that the high-spirited men of the south, desire their country to be used as a *nursery for slaves to be sold in the market*. But, if even so, is there not room enough within themselves, and in the vast tracts of uncultivated lands to the south, for such purposes, for an hundred years to come? Can they desire an outlet for their slaves at the cost of free white men? The non-slave holding states are comparatively full, or rapidly becoming thickly settled; and white men, free laborers, will not, cannot, sit themselves down where labor is dishonored—they feel disgraced by being put upon a par with a slave. Let slavery be permitted beyond the Mississippi, and that vast region is sealed up against the emigration of free laborers—the stamina of every government, and especially of a republic. No one despises more, or has more honestly combated, the drawing of "geographical distinctions" in the United States, than we have done; and we sincerely regret that an allusion is even necessarily made to the East, Middle, West or South, as supposed to have different interests and views. But believing as we do, that the condition of the constitution has been amply complied with already, we are sincerely desirous that that which all men confess to be a *moral and political* evil shall not be any further extended, and by such extension be made perpetual, past hope.

Case of William P. White.

In conformity to a resolution of the house of representatives, of the 20th Feb. last, the president

hundred and eight, Louisiana is prohibited from suffering any slave to be brought into that state, from any port or place *within the United States*, imported since the first day of May, *seventeen hundred and ninety-eight*; and the manner in which slaves may be introduced at all, is expressly designated.

of the United States transmitted to that house, on the 14th ult. a report from the secretary of state, with extracts and copies of several letters touching the imprisonment of William P. White, a citizen of the United States.

The following is the report of the secretary of state—

DEPARTMENT OF STATE,
Washington, 14th December. 1819.

The secretary of state, to whom has been referred a resolution of the house of representatives of the 24th of February last, requesting the president to cause to be laid before that house, at the next session of congress, any information which might be in his power, touching the causes of the imprisonment of William White, an American citizen, at Buenos Ayres, has the honor herewith to submit to the president extracts from a communication of Mr. John Graham, together with copies of several letters to and from Mr. W. G. D. Worthington, which contains all the information in possession of this department upon that subject.

Respectfully submitted.

JOHN QUINCY ADAMS.

The papers enclosed would fill nearly three pages—much more room than we feel ourselves justified in giving to the subject before us. The following brief abstract may serve all useful purposes:

Mr. White made himself known to Mr. Bland, one of our commissioners to South America, and was by Mr. B. introduced to Mr. Graham, another of the commissioners, at Monte Video. He represented his case, and the commissioners told him it was one on which they could not act; still he put several papers into the hands of Mr. Graham, entreating him to read them, which was done yet the objection continued. White managed to get to Buenos Ayres in the tender of the Congress frigate unknown to the commissioners, who were surprised at his appearance there, and felt it their duty to inform the supreme director of the fact and manner of his arrival. The director said he was exceedingly obnoxious to the people, a notorious smuggler and violator of the laws, &c. The commissioners could not do any thing for him; he was arrested and thrown into prison, where they left him. Mr. Graham says that White was understood to be a "restless intriguer, and had, probably political objects in view, as connected with his money affairs."

Mr. Worthington, an agent of the United States, had before interested himself, as far as he thought it expedient, in the case of White. The amount of the facts stated by Mr. Worthington is, as expressed by himself—that White "had so commingled and identified himself with the fiscal and speculative concerns of Buenos Ayres and Monte Video, and certain men there, both natives and foreigners, both in power and out of power, that it was hard to unravel whether he "was a man more sinned against than sinning."

Mr. Worthington spoke to the director and addressed a note to him, in behalf of White. The director replied that White "was a man without principles," and the secretary of state in return to the note, said, that he had been proscribed from reasons of the greatest weight, &c. White claims money of the government of Buenos Ayres, but does not seem to be a character about whom it is necessary that government should feel itself interested. He is said to be a native of Pittsfield, Massachusetts, and to have been a resident of South America 10 or 12 years.

United States' stock.

It is a fact worth notice, as established by a letter from a satisfactory source in New York, that on Monday and Tuesday last, a parcel of *three per cent. stock*, of the United States, (amounting to \$5,000) sold at *seventy one and three fourths per cent.*—and *seventy two* was offered for 10,000 dollars more of it. We should fear that the credit of the government was getting *too good*, which is a suspicious circumstance with governments as well as individuals, if it were not from a belief that this rise in price, is the effect of misapprehension or erroneous information. We apprehend that the brokers, and others, have taken up the impression, that the government is bound to redeem this stock at an early day. Now, when redeemed, it is to be redeemed at par; and if to be necessarily redeemed within three or four years its present price would be accounted for.—As, however, the construction which appears to have been put on the laws relating to this portion of the public debt is at least doubtful, we feel it our duty to warn moneyed men from involving themselves in this speculation.

Nat. Int.

So far the "National Intelligencer"—when the 3 per cent. stock is to be redeemed, we are not informed, but always had an impression that the time to do it was at the discretion of the United States—and, in the present state of our finances, there is no prospect that it will be speedily paid off if its redemption can be delayed; and indeed, in the most flourishing state of the treasury that can be presumed, we should oppose its redemption, unless the public faith was pledged in respect to it, for a long time to come. The money can be better used for other purposes than that of serving speculators, who appear to have made the present stir in this business.

But—the 6 per cents at 103; and the 3 per cents at 72, is the best evidence of the "scarcity of money" that we ever met with!!! We repeat what we have many times said, that money only wants circulation—objects to give it currency.

List of Piracies.

A memoir, of which the following is a copy, we are informed, has been transmitted to the department of state:

Boston, December 1, 1819.

TO JAMES MONROE, PRESIDENT OF THE UNITED STATES OF AMERICA.

The undersigned ask leave to lay before you the annexed statement of facts, relating to piracies and unlawful acts of armed vessels, committed, in many instances near our coast, or in the W. India seas, and some of them, they regret to add, by vessels out of our own ports.

Your memorialists are aware that this subject has already engaged the attention of government, and it is with this view of co-operating with them in checking the progress of this alarming evil, that they have collected this list of piracies, supposing that, from their connection with commerce, more facts of this nature came to their knowledge than to that of the members of government.

Whether the late unparalleled increase of piracies is to be ascribed to defects in the laws of civilized nations, or the laws not being enforced, or to other causes, it is alike certain that it is an alarming and growing evil, which a just regard to the interest of commerce, no less than to the moral state of society, requires to be forthwith repressed.

Reposing, as they do, with full confidence in the wisdom of the administration, they abstain from of-

ring any comments or opinions, not doubting that, after having their attention called to the facts, the government will pursue such measures as the nature of the case requires.

ARNOLD WELLES,

President of the Mass. fire and Marine Ins. com.

THOMAS PERKINS,

President of the Union Insurance Company.

JNO. T. APTHORP,

President of the Suffolk Insurance company.

JAMES HALL,

President of the N. E. M. Ins. Company.

NATH. GODDARD,

President of the Merchants' Ins. Company.

FRANCIS J. OLIVER,

President of the American Ins. Company.

Here follows the names of *forty four* vessels robbed, or relations of piratical circumstances, collected from one newspaper during the year 1819!

We should, indeed, be glad to see some vigorous measures adopted to check the progress of this growing evil. What we long ago predicted has come to pass, to an alarming extent—our country is drained of its seamen by vessels sailing under real or pretended commissions from Buenos Ayres, Artigas, Brion, and several others states or *individuals*; and the worst of all is, the demoralizing influence which these things have had upon the theretofore good character of our sailors.

It is probable that, between privateering and piracy, and all the hazards and hardships belonging to them, we have absolutely lost not less than 15 or 20,000 seamen since the conclusion of the war with Great Britain.

Inland Communication.

We have an interesting letter from the secretary of war transmitting topographical reports, made with a view "to ascertain the practicability of uniting the waters of the Illinois river with those of lake Michigan"—which we should be glad to publish at length, if we had room. The following summary may perhaps be sufficient.

The Illinois is formed by the union of three considerable rivers, the des Plaines, the de Page and the Kankakee—the last nearly double the size of the others. The Illinois is about 300 miles in length, varying in breadth from 70 yards to a mile—has a moderate current and water enough, at all times, for boats of considerable burthen, 230 miles from its mouth. Its rapids are not discoverable except in the lowest stages of the water. The valley of the river is from 3 to 10 miles wide, and generally flat and marshy, and subject to inundation when the water is at its medial height.

The des Plaines rises in the low lands west of lake Michigan—has some short rapids or ripples that appear only when the waters are very low. In every other part it seems "like a chain of stagnant pools or small lakes," affording water enough for boats of a moderate draught. At the head of these is a prairie, with a lake 5 miles long and from 30 to 40 yards wide, communicating with the des Plaines and the Chicago river, "by means of a kind of canal which has been partly made by the current of the water, and partly by the French and Indians, for the purpose of getting their boats across in that direction in time of high water." In dry seasons the portage may be about 3 miles, but at other times, boats pass and repass with facility. What is called the Chicago river is more properly an arm

of the lake, with a great depth of water, and seems fitted for a harbor for large vessels, except on account of a sand bar at its entrance, over the highest part of which the water is not usually more than two feet deep; but as this bar is very narrow, it is believed that, by the sinking of piers and removing the sand, a commodious harbor might be made—which seems to be a great object on lake Michigan.

As it appears indubitable that the waters of lake Michigan, on the prevalence of an easterly wind, are often discharged into the Illinois, and as it also appears to be a fact, that the waters of the des Plaines sometimes pass into the lake, the cost of such improvements as would open a boat communication, at all times in the year, except indeed in a very dry season, would be inconsiderable compared with the object, when the progress of population shall require it.

There seems to be several other ways in which the waters of Michigan and the Illinois may be united—but the preceding appears to be most eligible. As it now is, at one season of the year, boats of six or eight tons burthen may pass from the Mississippi into the lake.

Public Buildings.

We have the report of the commissioner of the public buildings, in the city of Washington, of which the following brief abstract may serve all ordinary purposes:

The work on the Centre of the Capitol has been carried on in a style conformable to the other parts of the building, and the walls have been raised to the height contemplated this season. The cost of finishing the wings has exceeded the estimates, as we judge, not less than 70 or 75,000 dollars; for items are given which amount to 59,722, and these, it is said, "may account for a large portion of the excess." Among these articles, the cost of which exceeded the estimates, we observe for copper for the roofs, 2,368; glass, 5,378; the colonade in the senate chamber exceeded the estimates by nearly 7000 dollars, and cost about 22,000; the marble columns in the hall of the house of representatives, estimated at 28,000, cost nearly 60,000. The painting of the outside of the wings cost 3000 dollars, &c. The whole work, however, appears to be well done.

The two executive offices appear to be nearly or quite finished—in a very substantial manner. They are extensive buildings, and were much wanted.

The addition to the offices at the west end of the president's house, is nearly completed; and the grounds which surround the house have been enclosed with an iron railing, &c.

Amount of disbursements made by the commission of public buildings, between the 1st of October, 1818, and 30th of September, 1819, on account of the following buildings:

Wings of the capitol United States,	181,317 63
Centre of do. do.	160,925 76
Executive offices,	132,149 07
Offices to president's house,	8,438 63

\$482,831 74

(Errors excepted.)

SAML. LANE, Com. P. of
Washington, Dec. 23, 1819.

Ohio and the U. S. Bank.

AUDITOR'S OFFICE, COLUMBUS, DECEMBER 8, 1810.

Gentlemen--The law of the last session of the legislature, passed on the 8th day of February, 1819, entitled "An act to levy and collect a tax from all banks and individuals and companies and associations of individuals that may transact banking business in this state, without being authorised to do so by the laws thereof," directed the auditor "upon the 15th day of September next ensuing, and afterwards upon the 15th day of September annually, to charge the bank of the United States with a tax of fifty thousand dollars upon each office of discount and deposit at which they might continue to transact banking business within this state after the first day of the said month of September, and so long as the bank of the United States should continue to transact banking business at any office of discount and deposit within this state; and also in like manner upon the said 15th day of September, and afterwards on the 15th day of September annually, proceed to charge each individual, company or association aforesaid, that shall commence or continue to transact banking business as aforesaid, with a tax of ten thousand dollars," to be collected in manner specified in said act.---Considering the act aforesaid imperative on the auditor, I made known at an early period to his excellency the governor, my opinion, and my determination to carry that law into effect, so far as related to myself, and received the concurrent opinion of the executive, that it was the duty of the auditor to proceed to the execution thereof, unless enjoined by proper authority. That, on the eleventh of the same month of September, I was served with a notice, signed by Messrs. Creighton and Bond, stating that application would be made on Tuesday the 14th of the same month, or so soon thereafter as counsel could be heard, to the circuit court of the United States at Chillicothe, to enjoin the proceedings under the aforesaid act, against the bank of the United States, in the hands of the auditor; which notice was enclosed to Charles Hammond, esq. at Chillicothe, with instructions to appear on behalf of the state, and, if necessary, to resist the application.

That early in the morning of the 15th of September aforesaid, I was served with a copy of a petition in chancery, filed in the said court at the suit of the president and directors of the bank of the United States, praying, amongst other things, "that the auditor as aforesaid be enjoined from charging the said bank on the fifteenth day of the said month of September, or on the fifteenth day of September in any year hereafter with a tax of 60,000 dollars upon either of the offices established in the state of Ohio by the directors of the said bank as aforesaid, and also from making out any warrant or appointing or authorising any person or persons to execute either or any of the provisions of the said act of the legislature against them or either of the offices established in the state of Ohio as aforesaid;" and also at the same time served with a subpoena in chancery from said court, "to appear before said court in Chillicothe on the first Monday of January next, to answer said petition." A copy of the bill No. 1, and subpoena No. 2, are herewith enclosed. That on being served with the petition and subpoena, I remarked to the officers serving them, that the auditor was not by them prohibited from proceeding under the act aforesaid of the legislature; and

being fully persuaded, that the papers served contained no prohibition on him, and believing that no writ of injunction was or would be allowed by said court until the officers of state proceeded to act under said law, and being informed that the bank of the United States continued to transact banking business within this state, at Cincinnati and Chillicothe, in violation of the act of the legislature of this state as aforesaid, I proceeded upon the same fifteenth day of September to charge the bank of the United States with a tax of one hundred thousand dollars, as by the aforesaid act directed; and issued a warrant to John L. Harper, esq. for the collection of the same. However, not willing to act premature in so important and delicate an affair, or against the orders and decrees of the constituted authorities of the general government of the United States, the aforesaid petition in chancery and subpoena, together with the warrant, were enclosed and transmitted to Jeremiah M'Lene, esq. secretary of state, then at Chillicothe, directing him to submit the papers served on the auditor to the counsel on the part of the state, and procure their written opinion; that if the papers served operated as an injunction, not to deliver the warrant to the officer appointed therein, as the auditor did not intend to violate the injunction of the said court; but if the papers served did not amount to an injunction, then to deliver the warrant to the person appointed, for execution; and upon the secretary's receiving the written opinions of several lawyers (Mr. Hammond being absent) "that it did not appear that there was any order of court allowing an injunction, or indeed any document whereby the defendant can be charged with the notice of the contents of the petition," he delivered the warrant agreeably to instructions. (The paper No. 3, is a copy of their opinions.)

That, on the 17th of September aforesaid, the person appointed to execute said warrant entered the branch at Chillicothe, and, upon the cashier's refusing to pay the tax aforesaid, levied upon specie and bank notes to the full amount in said warrant specified. That, about eight o'clock in the evening of the 18th of said month, I was served with a copy of the order of said court, allowing the injunction prayed for, and also with a writ of injunction from said court, dated on the same day, commanding the auditor not to proceed, as set forth in the bill heretofore mentioned; and that, in addition to the matter prayed for in said bill as aforesaid, the auditor was, by said writ, "commanded to desist from levying or collecting the tax imposed on the complainants, or from paying over, by order or otherwise, the monies received for said tax, which shall have been or may be collected under the provisions of the said act, in the treasury of the state of Ohio, or from making report of the same to the legislature in his general report of the receipt of taxes, until," &c. (The paper No. 4 is a copy of the order of said court, and writ of injunction.) At the same time a request was made, on the part of the bank, that the auditor would direct the money to be returned to said bank as it was on the road to the seat of government; but, conceiving that the auditor had then no further controul over the money, and that it was the duty of the person collecting the same to pay it into the treasury of the state, I refused to give any directions concerning the disposal thereof. That, on the 20th of the same month, the person collecting the money presented the treasurer's receipt for the sum of \$98,000, on account of the aforesaid tax collected, being deposited with him, subject to the orders of the legislature; for which I gave him my official receipt and charged the treas-

sureur therewith. That, on the said day, Mr. Harper made a return of his warrant, endorsed thereon that he had levied the sum of one hundred thousand dollars, in said warrant specified; nineteen thousand eight hundred and thirty dollars in specie, and eighty thousand one hundred and seventy dollars in bank notes of the office of discount and deposite of the United States' bank in Chillicothe, and paid ninety eight thousand dollars thereof to the treasurer of state, and retained two per cent. on the said amount levied, for his compensation.

That, soon after the foregoing transaction, the said John L. Harper, and Thomas Orr, one of his assistants, were sued and imprisoned at the suit of the said president, directors and company of the bank of the United States, in an action at law for the recovery of the money so as aforesaid taken.

That, on the 13th day of November following, I was served with a notice that application would be made by the president, directors and company aforesaid, to the hon. Charles Willing Byrd, district judge of the United States in and for the district of Ohio, for the allowance of a writ of injunction, to issue from the circuit court of the United States, for the seventh circuit and district of Ohio aforesaid, for the purpose of enjoining me, as auditor of the state of Ohio, and as an individual, from intermeddling with certain moneys therein mentioned.

That, on the 25th day of the same month, I was served with a copy of a petition in chancery, filed in said circuit court of the United States, at the suit of the president, directors and company aforesaid, against the auditor and treasurer of the state, bank of Chillicothe, Franklin bank of Columbus, in our official and individual capacities, and also against the collector and his assistants, and Messrs. Hammond and Wright, as securities, for a return of the money therein mentioned, together with an injunction to the effect specified in the foregoing notice, and also a writ of subpoena, to appear on the first Monday of January next, to answer said petition, injunction and subpoena, last mentioned.

You will observe, that by the writ of injunction first mentioned, the auditor was prohibited "from levying and collecting the tax by said act imposed on the complainants, or from paying over by order or otherwise, any monies received for said tax, which shall have been or may be collected under the provisions of said act, into the treasury of the state of Ohio, or from making report of the same to the legislature aforesaid in his general report of the receipt of taxes;" which prohibition was not prayed for in the bill of complaint, nor ordered by said court for ought that appears upon the papers and orders served. It is not supposed that the clerk was authorised to grant a writ containing that prohibition, nor that the auditor was bound by such an injunction; but in order that no violation of the authorities to the United States should take place on the part of this state, so far as related to myself, and having no further duties to perform under the act aforesaid, after the same, no other instructions were given relative to the disposal of said money, nor have the same been reported in the general report of the receipt of taxes. I however deem it my duty to lay the whole matter especially before the legislature, together with the documents attending the same, as well for their information, as to correct any misrepresentations which may have been upon that subject.

Subsequent to the first of September last, and prior to the 15th of the same month, not having received satisfactory information whether John H. Platt and company were transacting banking busi-

ness in violation of the aforesaid act, or not; and as it became necessary to charge the tax imposed, on the 15th day of September, I proceeded to charge said company with a tax of \$10,000, pursuant to the act aforesaid, and issued a warrant for the collection of the same to said John L. Harper, with instructions to proceed to Cincinnati, and on enquiry if the said company had not subjected themselves to the tax aforesaid, not to proceed to its collection. Accordingly, Mr. Harper proceeded, and was satisfactorily assured that said company was doing no business other than redeeming their paper: consequently he did not proceed to execute said warrant; since which time I have received a letter from said company to the same effect.

My enquiries have procured me no information that any other violation of the act of the legislature by an individual, company or association, has taken place since the first day of September last.

Very respectfully submitted,

RALPH OSBORN, Auditor.

Legislature of Virginia.

The following is a copy of the paper submitted by Mr. Stevenson, of Richmond, to the house of delegates on the 22d ult. and by them referred to the committee of the whole, and ordered to be printed:

Instructions from the general assembly of Virginia, to James Barbour and James Pleasants, jun. senators from the state of Virginia, in the congress of the United States:—

The general assembly of the commonwealth of Virginia, feel a confidence in your disposition to maintain and defend the rights of the state, of whose sovereignty you are the representatives in the national councils: yet they consider that occasions may arise of such importance, as to require and justify a particular expression of their sentiments.

The general assembly of Virginia are devotedly attached to the constitution of the United States, and to the union of the states, and they deem it a most sacred duty, to guard and maintain them against every violation.—To secure the blessings they confer, it is incumbent, both on public bodies and individuals, to watch, with a vigilant eye, any measures which are calculated to change the character of the government, or to impair its principles. This is peculiarly the duty of the states who are parties to the compact, in their highest sovereign capacities, and who are bound by every consideration which ought to influence the conduct of mankind, to preserve it in its original purity:—

The general assembly had hoped, whatever diversity of opinion may have existed in the United States on other points, that there were some principles of government, so sacred in themselves, and so sanctified by public sentiment, that they were not now to be brought into question. They had supposed that of this character are the propositions, that the government of the United States is a government of limited and defined powers; that it has no authorities, except those expressly given, or such as are indispensable to carry into effect powers expressly delegated; and that all other rights and authorities are retained to the states respectively, or to the people.—That this is the real character of the government of the union, results not only from the express declarations of the constitution itself the avowed sentiment of those engaged in framing it, but also from the circumstances, under which it was established. Emerging from a dependence on Great Britain, the states formed

thirteen separate sovereignties, and declared them to be so, in the act assuming independence.—These sovereignties were expressly retained, by the articles of confederation, as they have since been by the constitution of the United States; the very basis of whose existence is the recognition of the state governments.—The danger of consolidation was foreseen and predicted by the opponents of the constitution; its tendency or authority to produce it, was denied and disavowed by its advocates, in the conventions to which it was submitted. Could it have been believed, that this character was justly attributable to it, it is most certain it would never have been adopted.—The general assembly are most solemnly impressed with a belief that it is essential to the preservation of the constitutional charter of the U. States, of the sovereignty of the states and of the liberties of the people, which it was intended to perpetuate, that this principle, that the government of the United States is a constitution of limited and defined powers, should never be lost sight of.—Deeply penetrated with this conviction, it is with much concern and alarm that they have seen, by a recent decision of the supreme court of the United States, (in the case of McCulloh against the state of Maryland) the powers attributed to the general government, and which are eminently calculated to undermine the pillars of the constitution itself, and to sap the foundations and rights, of the state governments.—In noticing this decision, it must not be understood, that the general assembly mean to admit, that the opinions of the supreme court are conclusively binding on the states, in questions relating to the extent of the powers delegated to the general government, or retained to the states. In those great and important contests, which may arise upon the true construction of the compact, it must devolve on the parties, themselves, to judge of the infractions of it, whether occasioned by the legislature, the executive, or the judiciary.—This results from the plain consideration, that the parties to the federal compact were sovereign states, and that, with respect to the powers retained, the states are as sovereign as the United States are, as to those granted.—It could never therefore have been the intention of the states to submit the extent of their authorities, and rights, to courts created by one party to the compact, which party has the *appointment of judges*; who, however enlightened and honest, *could not be presumed*, in a contest between rival authorities, to be *exempt* from that *esprit de corps*, to which all men may be, more or less, subject; and, who in relation to the diminution of duties, and *increase of compensation*, at least, are dependant on the very body whose acts, or authority, may be brought in question. Nor does the provision in the constitution, that the judicial power shall extend to *all cases arising under the constitution*, impair the force of the constitution which is contended for.—However this may relate to questions to be decided, as to the different departments of the government, it does not, and cannot, as this assembly believe, extend to questions which would amount to a subversion of the constitution itself, by the usurpation of one contracting party or another.—The words are—“*all cases arising under the constitution*,” plainly referring to the power of construction in cases which would be presented by the exercise of powers transferred by the constitution, and not to those great and paramount considerations which, in their effects, may be subversive of all law, and all constitution. These general words, which also may be thus abundantly satisfied, ought not to receive

a construction which violates great principles, and permits a party to be judge in its own cause. It would, moreover, be unreasonable and unjust to suppose, that if the framers of that glorious instrument intended to confer a power, so infinitely more transcendent than that vested in any other department of the government, it would not have been given by an express and unequivocal delegation, rather than left to rest on doubtful or arbitrary implication. The change in the constitution which took away, by an amendment, the power to sue a state in the courts of the U. States, serves to mark, in a striking manner, the well founded jealousy of the states, as to any infringement of their sovereign character, through the medium of the federal judiciary; and to show that they never meant to allow the courts of the United States to decide conclusively on their rights, under the compact:—But should the judicial power of the United States be admitted to controul the parties to the compact, in cases of, conflicting claims to power, then it may do, *incidentally and collaterally*, what it has been forbidden to do *directly*; and may arraign before it, and subject to its controul, those very *sovereignties* which the amendment to the constitution intended to place beyond its reach. And therefore, the general assembly denies to the supreme court of the U. States the right to impair, or construe away the sovereign authorities reserved to the states or the people; and as that court, in the decision alluded to, has attributed to itself the *sole power of deciding on the high questions*, supposed to arise between the government of the union and its members, and as the opinion so given may, as was supposed, essentially influence the great operations of the government, it is deemed highly important to communicate to you the sentiments of this assembly upon the subject:

And the general assembly are more particularly induced to do so, because in their best and most deliberate judgment, the construction adopted by the supreme court is not only calculated to break down and destroy those barriers which the illustrious framers of the constitution were so solicitous to erect for the security of the people, and the preservation of the state sovereignties, but to change the whole character of the government itself; and to convert it from a limited and defined constitution, operating among sovereign states, united by a general compact into one great consolidated government, of *undefined and unlimited powers*. It is true that the supreme court admit in terms, that the government of the United States is a limited government.—They admit that it possesses only the powers specially granted, or the powers *necessary and proper* to carry those specified powers into effect; but in the construction given to these words “*necessary and proper*,” the supreme court have decided that the word *necessary* means “*needful*,” “*requisite*,” “*essential*,” “*conducive to*.”—Thus the words “*necessary and proper*,” which the framers of the constitution intended as a safe-guard to the rights of the states and the people, as restricting congress to means which are *indispensably necessary*, and thereby making the constitution a limited and defined government, are to be relaxed into mere considerations of expediency.—Is it a matter of any consequence, whether the general government possesses unlimited powers, expressly delegated, or an uncontrolled authority to exercise any auxiliary powers they may deem expedient, or conducive to a particular end?—The doctrine becomes the more alarming from another part of the opinion of the supreme court, in which

it declares: "We admit, as all must admit, that the powers of the government are limited, and its limits are not to be transcended.—But we think that the sound construction of the constitution must allow to the national legislature that discretion, with respect to the means by which the power it confers are to be carried into execution, which will enable that body to perform the high duties, assigned to it, in the manner most beneficial to the people. Let the end be legitimate, let it be within the scope of the constitution and all the means which are appropriate, which are plainly adapted to the end, which are not prohibited, but consist with the letter and spirit of the constitution, are constitutional." Again, the opinion states—"But where the law is not prohibited, and is really calculated to effect any of the objects entrusted to the government, to undertake here to enquire into the degree of its necessity, would be to pass the line which circumscribes the judicial department and to tread on legislative ground."—The court disclaims all pretensions to such a power."

Do not these opinions give to congress a most alarming latitude of authority, to which no practical limits can be assigned? And do they not lay a foundation for administering government upon principles unacknowledged by the constitution and unknown to the states and the people, at the time of its adoption?—Instead of conforming to the constitution, may not congress conform the constitution to their own designs: and does not their power become unlimited and uncontrolled, if they are the only judges of its extent, and the only restrainers of its excess? In its exercise under the plea, that a law may be conducive to some one of the specified powers of the government, it may exercise what authority it pleases, which has the most remote tendency to promote the alleged object. It may even create a necessity, with the view to the exercise of a particular power. Thus it was contended, in the argument of the case in the supreme court, that a bank was essential to raising and supporting armies and a navy, and carrying on war. The congress, according to this argument, had nothing to do but to raise an army—support a navy and declare war, and a bank became constitutional. Nor are we left to conjecture as to the effect which such a latitudinous construction of the constitution will produce, when it is remembered that the alien and sedition laws were justified, by its advocates, under this clause in the constitution now under consideration. In relation to the power of removing aliens, both friends and enemies, it was alleged to be incidental to the power of war; and the right to pass a sedition law was contended to be incidental to that of—*"suppressing insurrections by preventing whatever may lead or tend to them"* These acts thus justified, were passed by the then congress of the United States, and enforced by the judiciary, and yet, who can doubt that they were founded on an assumption of power, and were violations of the constitution in the estimation of an immense majority of the American people; and contributed in an essential manner to that radical change which took place in the councils of this country. Nor can the general assembly admit with the supreme court, that in discussing and settling these great questions of conflicting powers between the general and state governments, the doctrine of *precedent* is to be considered as entitled to great weight. It is admitted to be true, as asserted in the opinion, that the principle contested in that case, was introduced at a very early period of our history, and has been recognized by successive legislatures and acted upon by the

judicial department; but this assembly deny that these *precedents* ought to avail against the constitutional charter. They care not what advantages of time, nor if years have passed over to give them *sanctity and authority*; they are deemed wholly inapplicable to a *written compact*, marking out the path of duty, and limiting the range of its powers. If it were otherwise, and great constitutional rights were to be sustained, or *put down*, by the sanctions of previous legislators, judges and presidents what acts of daring usurpation, or high handed oppression might not be practised? If one act of *usurpation* is to be made the justification of another, in relation to these important questions, it would only be necessary for the national legislature to level the barriers which the constitution has set up for the protection of state rights, and for the judiciary and executive to legalize it, and the work would be done: Nor should it be forgotten, that the advantages of legislative—judicial—and executive *sanctions*, claimed in the opinion of the supreme court in support of its decision, might, with the same propriety and force, have been urged against the repeal of the alien and sedition laws. Those acts were created by congress, approved by the president, and enforced by the judges; and yet no one opposed their repeal upon the ground of a previous *legislative—executive—or judicial* sanction. This assembly, therefore, can but lament that, in the early part of our republican government, constructions so dangerous as those relied on in the opinion of the supreme court, should have been given; and they indulge the hope, that the national councils, instead of acting under the influence of such dangerous precedents, (however urged or supported by the misguided zeal of those who may administer the government) will determine to re-trace their steps, and rally around the constitution of their country:—

The construction now given by the general assembly to the constitution of the United States, is not a new one. In the instrument of ratification adopted by the convention of Virginia, the following strong expression of opinion will be found, as to the powers of the constitution: "That every power not granted remains with the people, and at their will, that therefore no right of any denomination can be cancelled, abridged, restrained, or modified by the congress, by the senate, or house of representatives, acting in any capacity; by the president or any department, or officer of the United States, except in those instances in which power is given by the constitution for those purposes." This was the opinion of Virginia when called upon to ratify, or reject the constitution: Not only, therefore, is the construction now given sanctioned by opinions, contemporaneous with the original discussion of the constitution in Virginia, but it has since been regarded as sacred by the most enlightened statesmen and patriots in our country; and as affording the only security against consolidation, and the only safeguard to the rights of the states. Thus we find this construction contended for, both before and after the adoption of the general government, by men who had been most concerned in the formation of the constitution, and persisted in since, it is believed, by a large majority of the people of this state. In the memorable contest of parties which took place in '96 and '99, Virginia was among the first to step forward in vindication of these principles, against the alarming encroachments of the general government; and in the great and commanding stand which she then took in defence of the constitution, and of her liberty and

rights, she gave to the world the arguments by which she triumphed, and erected the firmest bulwark around the rights of the states. Upon the exposition then given to the constitution and the sound republican doctrines contained in the celebrated resolutions and report of '98 and '99, a great revolution of principle took place, and the republicans came into power—and there can be no doubt, that those who were at that period elevated to office by the people, were selected from a firm reliance that they and their successors would administer the government, and adhere, in their legislative acts, to the principles then declared to be *essential* to the maintenance of the state sovereignties, and the rights of the people. If the supreme court had confined their opinion singly to the enquiry, whether the bank of the United States was necessary and proper to carry into effect certain specified powers of the federal government, the general assembly, though it has uniformly manifested its opinions that the bank was unconstitutional, would, in consideration of the circumstances attending the establishment of that institution, the financial derangement, and wide spread individual ruin which a repeal of its charter might produce, have been disposed, though differing in sentiment from the supreme court, to have remained silent until the charter should have expired with its own limitation; but when the question as to the bank, is made the occasion to lay down and assert principles of such universal extent, and such alarming tendency, not called for by the particular case, but calculated to open a door through which the dearest rights that belong to the states may be *invaded*, they would deem it a dereliction of principle, and abandonment of their rights, and those of their constituents, to withhold at this time the expression of their opinion. They most earnestly and conscientiously declare, that they consider the principles involved in the decision of the supreme court as most vitally affecting the state sovereignties; as changing the character of the government, and if carried into practice, as tending directly and inevitably to a consolidation. Impressed with these convictions, and feeling themselves bound to interpose whatever shield the constitution may have allowed the people and the states, to protect their rights and the constitution of their country from violation, they enter their most solemn protest against the decision of the supreme court, and of the principles contained in it. This assembly are firmly attached to the union, and believe that its preservation depends, not only upon sustaining the legitimate authorities of the general government, but also in preserving, unimpaired, the rights of the states. They readily perceive, that questions of great delicacy and importance may arise between the parties to the compact, as to their respective powers, which, to have decided in a manner that will ensure public confidence, and reconcile jarring and conflicting interests, ought to be referred to some *tribunal*, which, not being appointed exclusively either by the states or the federal government, may be exempt from any feeling which, however honest, may be unfriendly to an unbiased decision. They are therefore of opinion, that an amendment ought to be made to the constitution of the United States, creating a *tribunal* of that description, which shall be appointed in a mode to secure it as far as possible from bias, either to the local or general government, and with authority to decide such questions as may arise and relate to the powers of the general and state governments, under the compact.

The general assembly, therefore, influenced by

these considerations, (and confident that a subject so important will awaken your vigilance and engage all your wisdom,) *instruct* you, as their senators, and request the representatives from this state in the congress of the United States, to use their best efforts:

1st. To procure an amendment to the constitution of the United States, creating a tribunal for the decision of all questions, in which the powers and authorities of the general government and those of the states, where they are in *conflict*, shall be decided

And 2nd. To resist on every occasion all acts of legislation in the congress of the U. States, which attempt to exercise any power or authority, which is not either expressly given to congress by the constitution, or which is not "*necessary and proper*" to carry into effect the powers so expressly given; or any other powers vested by the constitution in the government of the United States, or any department, or officer thereof; and that, in construing the words "*necessary and proper*," they be regulated by the construction herein before put on them, and also that given by the resolutions and report adopted by the general assembly of Virginia, at their sessions of 1798 and 1799, which have been reconsidered, and are fully and entirely approved of by this assembly.

Resolved, That the governor be desired to transmit a copy of the foregoing instructions to the executive authority of each of the other states, with a request that the same may be communicated to the legislature thereof; and that a copy be furnished to each of the senators and representatives representing this state in the congress of the United States.

Another paper, of much greater length than the preceding, was also submitted by Mr. Archer, of Amelia, and in like manner referred to the committee of the whole and ordered to be printed. It contains a very able argument as to the construction which should be given to the constitution of the United States, and strikes severely at the exercise of *implied* powers, &c. We intend to publish this paper at some future day. It concludes with the following resolutions.

Resolved therefore, that this assembly does renew the expression of the opinion it has heretofore expressed, that the government of the United States is invested with no rightful authority to grant a charter of incorporation to a bank of the United States.

Resolved, that this assembly does enter its solemn protest against the assertion by or on behalf of the government or any department of the government of the United States, of a right to the exercise of all powers available as convenient means of execution of its declared powers, as a doctrine inconsistent with, and its tendency subversive of the true character of the federal constitution.

Resolved, that the governor be requested to communicate copies of the preceding preamble and resolutions to the executive authorities of the several states, accompanied with a request that the same may be laid before their respective legislatures; and that copies be furnished to each of the senators and representatives representing this state in the congress of the United States.

Revolutionary Pensions.

Report, in part, of the committee on revolutionary pensions, upon the subject of the manner in which the act of the 18th March, 1818, has been executed, &c. &c. &c.

The committee on revolutionary pensions, to

whom was referred the resolution of the 15th inst. report in part, that a letter was addressed to the secretary of war, relative to an inquiry into the "manner in which the law" of the 18th March, 1818, has been executed." A copy of which letter and the reply of the secretary of war, are now laid before the house.

To the honorable J. C. Calhoun, esq.
secretary of the department of war.

SIR.—I am instructed by the committee on revolutionary pensions to ask information relative to the "manner in which the act of the 18th March, 1818, has been executed, ascertaining, as far as may be practicable, the class or classes of cases which it has been construed to embrace, and such as have been excluded from its provisions—whether the objects contemplated by its passage have been or probably will be, effected by the operations of the law; and, if not, whether it be susceptible of such amendments as will ensure the accomplishment of those objects;" Also, a "statement of the number of certificates of pensions, which have been issued under the said law—the number of cases suspended—the number rejected, and the number of applications received, that have not been acted upon."

I have the honor to be, very respectfully,

Your most obedient servant,

JOSEPH BLOOMFIELD, chairman.

Congress hall, Dec. 17, 1819.

War department, 22d Dec 1819.

SIR.—In reply to your letter of the 17th inst. inquiring "into the manner in which the act of the 18th March, 1818, has been executed, ascertaining, as far as may be practicable, the class or classes of cases, which it has been construed to embrace, and such as have been excluded from its provisions"—I have the honor to enclose a copy of the regulations which have been adopted by the department to carry it into effect.

The act has invariably received a strict construction, and none have been intended to be admitted, but those who, under such construction, were believed to have "served in the war of the revolution until the end thereof, or for the term of nine months or longer, at any period of the war, on the continental establishment," and who were in such "reduced circumstances of life" as to be "in need of assistance from" their "country for support"—to all of which facts, the oath of the party, and the certificate of the judge, have been required. Under which construction, the following classes of applicants have been excluded:

Those who are not in such reduced circumstances in life, as to need assistance from their country for support.

Those belonging to the general and civil staff the medical excepted. Under this head are included quarter masters not holding commissions in the line, but acting under warrants from the head of that branch of the staff—waggon-masters and waggoners—forge and barack-masters—artificers, such as carpenters, &c.—batteau-men, employed in the quarter-master's department, in the transportation of troops or military stores.

Those who belonged to state troops, *i. e.* military forces of every description, acting under the authority of, or commissioned by the executive of a state, and not by congress, and those who belonged to corps for local defence—except such as were recognized, by the old congress, as being on the continental establishment.

Those who served in privateers, transports, vessels bearing despatches to foreign countries—as well as persons who served in civil capacities on

board of national vessels of war; such as captain's clerks, &c. are also excluded.

Finally, those who, though they served nine months, did not so serve under one enlistment.

To answer that part of your inquiry, "whether the objects contemplated by its passage have been or probably will be, effected by the operations of the law; and, if not, whether it be susceptible of such amendments as will ensure the accomplishment of those objects," it will be proper to consider those who were intended to be benefited by the act in two different characters; 1st. Whether they were of the description of persons, and performed such military or naval service, as is contemplated by the act; and 2dly. Whether they are in the condition of life, as to property, which congress intended. It is believed that, under the first description, the object of the act has been effected; and that very few frauds have been attempted, and of those it is believed that none, or very few have proved ultimately successful. Great pains have been taken to collect all of the documents which could supply the place of those which were destroyed when the war office was burnt, and, with this view, a correspondence was opened with the executives of the original states, to obtain copies of those which were preserved in the archives of their respective states. Where the defect of those in the department have been supplied, greater caution has been observed as to the proof of service. It will be proper here to observe that, at first, occasional errors were committed in determining the character of certain regiments or corps, and some were considered continental, which, on full enquiry, proved not to be so. Where such errors have been committed, they have been corrected, and those improperly admitted have been dropped from the list of pensioners. It is believed that the act has been less successfully executed in regard to the condition in life, as to property of those who have obtained pensions. A very great number of communications have been received by the department, from respectable sources, which represented many of the pensioners to be in more affluent circumstances than that which the act contemplated. A memorandum was directed to be made of all such cases, in order that such as seemed to require it, might be inquired into. In some cases, where there appeared to be satisfactory proof of fraud or mistake, the pensioners have been dropped from the roll. The impositions or mistakes, if they exist, as it appears probable they do to a considerable extent, have taken place, notwithstanding the continued vigilance of the department. Imposition, as to the circumstances of the applicant, was early apprehended; and to guard against it, the path of the applicant, and the certificate of the judge, as to his reduced circumstances though not expressly required by the act, were required by the regulations of the department. But it is obvious, where the judge has been careless, or has been imposed on by the applicant, as to his property, the department can rarely have any means in its power to prevent the consequence, but from the informal information or impression of such persons as may feel an interest in the correct execution of the act. Even facts, thus communicated, have usually been received after the pension has been granted. There is another difficulty connected with the execution of this part of the act, of still greater magnitude. I refer to the various constructions which different judges give to the words, in such "reduced circumstances of life as to need the assistance of their country for support." It is believed the difference in the construction has been

very great: nor has it been possible for the department to give specific instructions to them as to their construction, as the necessity of the applicant does not depend simply on the amount of property which he may possess, but on many other circumstances. His health and bodily strength, the number and ability of his family to aid in his support—the cheapness or dearness of articles of subsistence in the section of the country in which he resides, and many other circumstances, have a strong bearing on it. In the midst of these difficulties, the necessity of the applicant must, in most cases, be left to the sound discretion of the judge.

I am not aware of any amendment, of which the act is susceptible, by which uniformity of construction can be secured on the part of the judges, or imposition on them much diminished, unless it should be the intention of congress to confine their bounty to the lowest grade of poverty. Any condition, above mere indigence, would admit of a latitude of construction; and it appears impossible to fix on a particular amount, in value, of property, to entitle the applicant to a pension, which would be just in its operation—or which would not involve great difficulty in its execution.

The number of pension certificates issued under the law amount to 16,270.

The number of claims received and acted on, are	28,151
The number of claims received and not acted on, are	404
	28,555

It is impossible to state precisely how many have been absolutely rejected, or how many suspended, as, in some cases, claims which have been rejected have afterwards been admitted; and others, which have been suspended, have finally been rejected. If, from the total number of claims admitted, be subtracted the total number received and acted on, the number suspended or rejected will be 11,381.

I have the honor to be, with great respect, your obedient servant,

J. C. CALHOUN.
 Hon. JOSEPH BLOOMFIELD,
 Chairman of the committee on revolutionary pensions, house of representatives.
Rules and regulations for substantiating claims to pensions, to be observed under the law of congress, of the 18th of March, 1818, viz.

REGULATION OF THE 26th MARCH, 1818.
 The commissions of officers and the discharges of the regular soldiers of the army of the revolution, (if in existence), applying for pensions under the above act, will, in every instance, be furnished to the war department—and the signatures of the respective judges, certifying in these cases, must be attested by the seal of the courts where such judges preside. The person applying for pension to declare, under oath, before the judge, that, from his reduced circumstances, he needs the assistance of his country for support.

REGULATION OF THE 27th OF MAY, 1818.
 It is expected that the judges will certify, as well to the reduced circumstances, as to the continued service of nine months, required by the law of the 18th of March, 1818—and pensions will invariably be refused, unless the declarations of applicants shall be accompanied by such certificates. The applications for pensions belonging to New-Hampshire, New-York, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia, will be delayed until further evidence of their service shall have been received from the several executive officers of the states.

REGULATION OF JUNE, 1818.
 In a case where the name of the applicant cannot be found on the rolls, the evidence required to substantiate his claim, is the deposition of two disinterested witnesses, as to the service and discharge of the applicant, corroborating his own statement. The magistrate who administers the oath must certify to the credibility of the witnesses, and the official character and signature of the magistrate must be attested by the county clerk, under his seal of office. [This rule has extended to such cases only as seemed to require extraordinary proof. In a case, for example, where the rolls of the regiment in which the applicant served, were complete for the period at which he stated to have served, and his name could not be found; and in cases where the applicant's statement has not agreed with historical facts.]

CONGRESS.

IN THE SENATE.

January 3. Mr. Williams, of Tenn. submitted the following resolution:

Resolved, That the committee on military affairs be instructed to enquire into the expediency of subjecting the cadets in the United states' military academy at West Point, to the rules and articles of war.

The president laid before the senate a report from the secretary of the navy, in relation to the rules, regulations, and instructions for the naval service, made in obedience to a resolution of the senate of the 8th February last; which report was read and referred to the committee on the navy, and ordered to be printed.

Mr. Logan offered a resolution to request the president of the United States to cause to be laid before the senate any evidence in the executive department in relation to judgments, fines, and payments, under the act entitled "an act for the punishment of certain crimes against the United States," [commonly called the sedition law,] and whether in any, and in what instance, the same have been remitted. Mr. L. mentioned, in explanation of his motion, that, on a petition, now before the committee of claims from Matthew Lyon, of Kentucky, praying to be reimbursed the amount of a fine incurred under the sedition law; some difficulty existed, for the want of certain facts referred to in the petition, and it was to obviate this difficulty that he desired a call for the information from the executive. The resolution lies on the table one day of course.

Sundry bills passed by the house of representatives passed the senate.

The senate resumed the consideration of the bill declaring the consent of congress to the admission of the state of Maine into the union.

Mr. Barbour observed that this bill involved considerations of great moment; that it embraced provisions on which there were conflicting opinions, though no objection whatever was entertained to the main object of the bill, of which indeed he was warmly in favor. For this and other reasons, which Mr. B. afterwards submitted at large, he wished the bill to go back to the committee, in hopes that they might so shape it as to obviate the difficulties alluded to, and unite the voice of the senate in its favor. Mr. B. concluded his remarks by moving that the further consideration of the bill be postponed to Wednesday; when, if his present motion succeeded, he should offer the following motion:

"That the bill entitled a bill declared the consent of congress to the admission of the state of Maine

into the union, be committed to the committee on the judiciary, with instructions so to amend it as to authorise the people of *Missouri* to establish a state government and to admit such state into the union upon an equal footing with the original states in all respects whatever."

The motion to postpone was opposed at considerable length, by Mr. *Mellen*, Mr. *Otis*, and Mr. *Burrill*, successively, on the ground of the impropriety of delaying the bill, and also as taken in connexion with the motion of which Mr. *Barbour* had given notice. The inexpediency of coupling the two subjects together in one bill; and, incidentally, the question connected with the *Missouri* bill of certain restrictions, &c. entered into the debate.

Mr. *Barbour* replied, and entered at large into the merits and the defence of the proposition, which he had disclosed his intention of offering, and into the question which grew out of it, touching the right of imposing conditions upon the admission of *Missouri*, &c. &c.

The motion strictly before the senate being simply to postpone the consideration of the bill to Wednesday, it was assented to generally by those gentlemen who had opposed the object of the postponement, and was agreed to without a division.

The bill which had passed the house of representatives on the same subject, was received and laid on the table; when

The senate went into the consideration of executive business; after which.

They adjourned.

January 4. Mr. *William Pinkney*, a senator from the state of Maryland, appeared this day and took his seat.

The bill from the house of representatives for the admission of Maine into the union, was taken up and read twice, and referred to the committee on the judiciary.

The senate proceeded, according to the order of the day, to consider the following resolutions, submitted on the 28th Dec. by Mr. *Logan*, of Kentucky: [See last Register, page 301.]

The resolutions having been read, Mr. *Logan* rose and addressed the senate about an hour in support of the several features of his proposition—arguing to shew that the enquiry was necessary, just and constitutional.

Mr. *Wilson*, of N. J. called for a division of the question on the resolutions; and no further debate ensuing.

The question was taken on the first resolution and decided in the negative—ayes 12, noes 24.

The question was then put on the two remaining resolutions, successively, without debate, and also decided in the negative, without a division; but few voices being heard in the affirmative.

Mr. *Lloyd* was appointed by the senate to fill a vacancy in the committee on the district of Columbia; and

Mr. *Pinkney* was appointed to supply a vacancy in the committee on the judiciary.

Nothing else of immediate interest was transacted.

January 5. Mr. *Lowry* presented to the senate certain resolutions of the legislature of Pennsylvania, requesting the senators and representatives from that state, in congress, to propose, and use their exertions to obtain, an amendment to the constitution of the United States, to prohibit congress from making any law to erect or incorporate any bank or other monied institution, except within the district of Columbia; and that any bank established by congress shall, with its branches, be confined to

the said district; which resolutions were read and laid on the table.

Mr. *Van Dyke*, from the committee on pensions, made the following report, which was read.

The committee on pensions, to whom was referred a resolution of the senate, of December 20, 1819, instructing the said committee to enquire into the expediency of reviving the act of 1806, entitled "An act to provide for persons who were disabled by known wounds received in the revolutionary war," which expired at the close of the last session of congress, report:

That they have examined the subject embraced in the said resolution, and, finding that persons placed on the pension list, in pursuance of the act of 1806, may continue to receive their pensions as heretofore, by complying with the provisions of the act, entitled "an act regulating the payments of invalid pensioners," approved 3d March, 1819; and believing that most, if not all, the cases would come within the act of 1806, if revived, may be relieved under the more liberal provisions of the act of 18th March, 1818, the committee are therefore of opinion that it is not necessary or expedient to revive the act in the said resolution mentioned.

Mr. *Roberts* presented to the senate a preamble and resolution of the legislature of Pennsylvania, requesting the senators and representatives in congress, from that state, to vote against the admission of any territory, as a state, into the union, unless the introduction of slaves for life be prohibited therein; which resolution, &c. was read.

Mr. *Tichenor*, according to notice given, and having obtained leave, introduced a bill providing for the better organization of the treasury department, which was read.

Mr. *Dani* presented to the senate sundry resolutions, transmitted to him, of a meeting of citizens in the town of New-Haven, Connecticut, declaring their opinion of the right of congress to prohibit the further extension of slavery in the United States and praying that its extension may be prohibited—which resolutions were read.

The senate then, according to the order of the day, took up the bill declaring the consent of congress to the admission of the state of Maine into the union; when,

On the motion of Mr. *Mellen*, the said bill was postponed for four weeks.

[Though nothing was said on this motion, it may be proper to explain the reason of the mover, for making, and of the senate, for agreeing to. It was understood to proceed from an intention of relinquishing the further consideration of this bill, and of taking up the bill on the same subject which has already passed the house of representatives, and been received and referred to a committee in the senate.]

The senate then went into the consideration of executive business; after which,

They adjourned.

HOUSE OF REPRESENTATIVES.

Friday, Dec. 31. After receiving several reports from committees on private matters, &c.

On motion of Mr. *Cannon*, it was

Resolved, That the committee on the militia be instructed to inquire into the expediency of furnishing the militia with clothing, when they are called into the service of the United States, or the amount in money, in lieu thereof, in all cases wherein they furnish themselves.

On motion of Mr. *Whitman*, it was

Resolved, That the secretary of the treasury be

directed to lay before this house copies of such communication as he may have received since 1816, and such information as he may possess, in relation to the illicit introduction of slaves into the United States, with a statement of the measures adopted to prevent the same.

On motion of Mr. *Whitman*, it was also

Resolved, That the secretary of the navy be directed to lay before this house copies of such communications as he may have received since 1816, and such information as he may possess, in relation, to the illicit introduction of slaves into the United States, with a statement of the measures adopted to prevent the same.

On motion of Mr. *Cook*, the report of the secretary of war, of the 28th inst. relative to a communication between lake Michigan and the river Illinois, was referred to the committee on roads and canals.

The house went into a committee of the whole, Mr. Mark L. Hill in the chair, on the bill providing for the admission of Maine into the union.

And, no further debate arising—

The committee rose and reported the bill and amendments to the house.

After much debate on the questions arising out of the representation of Massachusetts and of Maine [as at present] in congress, and the best mode of arranging it, if congress interposes at all respecting it the amendment made in committee of the whole, to strike out of the bill so much as relates to this subject, was agreed to.

After negating sundry projected amendments—the bill was finally ordered to a third reading, with a few dissenting voices.

The speaker laid before the house two letters from the secretary of the treasury, transmitting, in obedience to resolutions of this house, a statement of the duties accruing, and drawback payable, on merchandize exported during the years 1816, 1817 and 1818; and the annual statement of the district tonnage of the United States, on the 31st of Dec. 1818; which statements were ordered to be printed.

Monday, Jan. 3. Many private matters were variously disposed of

Mr. *A. Smyth*, from the committee on military affairs, to whom was referred a resolution instructing them to enquire into the expenditures which have been, and are likely to be incurred, in fitting out and prosecuting the expedition to the mouth of the Yellow Stone river, and concerning the objects intended to be accomplished by that expedition, made a report thereon, which was read and ordered to lie on the table.

The speaker also laid before the house a letter from the secretary of war, enclosing an abstract shewing the aggregate amount of the military peace establishment actually in service for each year, since 1815; made in obedience to an order of the 28th ult; which was ordered to lie on the table.

The speaker laid before the house a letter from the secretary of the navy, transmitting a statement of balances, unexpended on the 27th day of December ult. remaining in the treasurer's hands as agent for the navy department, &c. rendered in obedience to the resolution of this house of the 27th ult.

Tuesday, Jan. 4. Mr. *Bloomfield*, from the committee on revolutionary pensions, to whom was referred a resolution of the 18th ult. respecting the execution and propriety of repealing the pension law of March 18, 1818, (on which subject they made a report in part some days ago,) made a report final, declaring that it is not expedient; neither would it comport with the dignity of the American nation, to

repeal that act; which report was read, committed to a committee of the whole house, and ordered to be printed.

Mr. *Lorandes*, from the committee on foreign relations, to whom had been referred two memorials from certain citizens of Ohio, praying the suppression of privateering, as a means of national warfare, submitted the following report:

The committee of foreign relations, to whom have been referred two memorials from citizens of the state of Ohio, relating to the practice of privateering, beg leave respectively to report:—

That the language of the memorialists is such as to leave the extent in which they deem it reasonable to expect a mitigation in the laws of maritime warfare, in some doubt. They are considered by the committee as recommending such a change in these laws as shall exempt the property of individuals from capture, either by public or private ships of war, at least when it does not consist of contraband articles, and is not destined to a blockaded port. The general benevolence which is expressed, as well as the opinion of Dr. Franklin which is referred to by the memorialists, seem to prove that it is their wish that the property which subserves no purpose of war should be as safe upon the sea as upon the land—not that it should be secured from private cruizers, and be left exposed to public ships, which in the service of some European powers, are much more numerous than the others, and whose pursuit of plunder is often quite as active and unsparing. It cannot, indeed, be presumed, that the memorialists should wish a change in maritime law which would produce very little diminution in the dangers of our commerce in a conflict with any considerable naval power, while it would wrest from our hands what we have hitherto considered as one of our principal means of annoyance. It is the security of fair and harmless commerce from all attack, which the memorialist most desire. It is the introduction of a system which shall confine the immediate injuries of war to those whose sex, and age and occupation do not unfit them for the struggle. If these are the wishes of the memorialists, the committee express their concurrence in them, without hesitation.

The committee think that it will be right in the government of the United States to renew its attempt to obtain the mitigation of a barbarous code, whenever there shall seem a probability of its success. They do not doubt that it will do so. Its first efforts at negotiation were characterized by an anxiety to limit the evils of war; and if it seem to have desisted from the prosecution of this design, the committee believe that this circumstance must be attributed, not to a change in the policy of the United States, but to the perseverance in their former policy of other nations. The committee are not unaware that the "United States are better situated than any other nation to profit by privateering," but they are far from opposing this calculation to a regulation which, if the powers of the world would adopt it, they too should consider as "a happy improvement in the laws of nations."

It is an improvement, however, which cannot be made without the consent of other states. The committee will not flatter the memorialists by expressing the opinion that such consent will probably be given; but, as it can be obtained only, if at all, through the executive government, to whose discretion the conduct of negotiations has been properly confided by the constitution, they recommend to the house the following resolution:—

Resolved, That the committee of foreign rela-

tions be discharged from the further consideration of the memorials relating to the practice of privateering, and that they be referred to the secretary of state.

The report was read, and the resolution agreed to.

The speaker laid before the house two letters from the secretary of the navy, transmitting a statement of the contracts made by the commissioners of the navy during the year 1819, and a list of the clerks employed in that department, their names and salaries—rendered in obedience to law; which statements, &c. were ordered to lie on the table and be printed.

On motion of Mr. Overstreet, it was

Resolved, That the secretary of the treasury be directed to inform this house what reduction (in his opinion) it will make in the revenue, if the importation of cotton and woollen manufactures, and iron, be prohibited; and in what manner the deficit in the revenue may be supplied, should such prohibition be made.

Mr. Cook, of Illinois, submitted for consideration the following resolution:

Whereas an enlightened and liberal policy dictates the importance and propriety of rendering the navigable waters of the interior of our common country as extensively subservient to its commercial interests as is practicable: and whereas the importance and utility of the majestic rivers, Mississippi and Ohio, would be much increased by the establishment of a convenient place of deposit near their confluence; and whereas doubts are entertained as to the eligibility of the site at their immediate junction for that purpose, therefore

Resolved, That the committee on roads and canals be instructed to enquire into the expediency of appointing a suitable number of commissioners, to examine that tract of country lying between the said rivers, with instructions to report to this house, at the commencement of the next session of congress, a topographical description thereof, accompanied with their opinion as to the most expedient plan of adapting a suitable portion thereof to the purpose aforesaid.

And, whereas the durability of the government greatly depends upon the equal dispensation of advantages, by congress, to the different sections of our union, as well as upon the virtue of the people:

And whereas the north is already provided with an academy, at which a proper number of her sons are taught the military art, a perfect knowledge of which is so important to the certain defence of our rights, and so auspicious to saving of both the blood and treasure of the nation:

And whereas the establishment of a national armory in the west would, in its operations, produce the disbursement of a part of that money in the same quarter from which it is so profusely drained, by the sales of the public lands, and at the same time place at the immediate command of the government, at a suitable position, the necessary arms for the defence of our extensive frontier;—therefore,

Be it further resolved, That the committee on military affairs be instructed to enquire into the expediency of requiring the said commissioners to examine if there be a suitable situation for a military academy and national armory, near the junction of the aforesaid rivers; and to also, to examine and ascertain the probable metallic resources of the surrounding country, not exceeding fifty miles distance, from the confluence aforesaid, suitable for munitions of war, and report the same to this house, with the report before required.

The question being put, whether the house would now consider the said resolutions, it was decided in the negative.

On motion of Mr. Strong, of N. York, it was

Resolved, That a committee be appointed to enquire into the expediency of providing by law, for furnishing the army, the navy and the Indian department, with articles of clothing, and other merchandise, of domestic manufacture, except such articles only as cannot, with economy, and in sufficient quantity, be manufactured in the United States.

Resolved, That a committee be appointed to enquire into the expediency of providing by law for the further encouragement of native American citizens and seamen, engaged in the whale fisheries.

After some other business, of no importance to notice at present, the house adjourned.

Wednesday, Jan. 5.—Mr. Taylor, from the committee of elections, made a report that Mr. Mallary and not Mr. Merrill (the sitting member) was entitled to a seat in the house. The papers were ordered to be printed.

On motion of Mr. Archer, it was

Resolved, That the message of the president of the United States, dated January 13, 1813, communicating a law passed by the general assembly of Maryland, in relation to the Chesapeake and Delaware canal, be referred to the committee of roads and canals, and that they be instructed to enquire into the expediency of extending the aid of government towards uniting the waters of the Chesapeake and Delaware.

On motion of Mr. Quarles, it was

Resolved, That the committee on military affairs be instructed to enquire into the expediency of reorganizing the army of the United States.

[Mr. Quarles said, in regard to this resolution, that justice to the officers of the army of the U. States, and those concerned in its organization, as well as to satisfy the wish of the people of this nation, the investigation contemplated in this resolution, was required. If we have an army of officers and privates, properly proportioned, its character ought to be reinstated to that part of the nation who entertain a different sentiment; on the contrary, if we have an army of officers almost exclusively, and which is drawing large sums of money improperly from the public treasury, the country should know it, and the evil be remedied.]

On motion of Mr. Quarles, it was

Resolved, That the committee on naval affairs be instructed to enquire into the expediency of suspending, for a limited time, so much of the standing appropriation of one million of dollars for the increase of the navy, as may be consistent with the public service; and also to enquire whether any other reduction of the expenses of the navy can be made, consistent with the public service.

[In introducing this resolve, Mr. Q. said, it appeared that the resources of the country, and our embarrassed condition, called aloud for the retrenchment of our expenses; and, although he was as much disposed as any man to cherish and encourage the navy of our country, whose gallantry had on all occasions given such splendor to the American arms, it seemed to him well worthy the consideration of congress, whether we may not do too much. We appropriate, said he, one million of dollars for the increase of the navy, annually. This sum is employed exclusively in building new vessels. These vessels, when completed, have to be manned, which is another source of expense, and, by the vessels being built, and the consequent ex-

pense of manning them, we are accumulating an alarming annual expenditure. Does not prudence dictate that we pause awhile, and enquire whether the nation had not better omit so much of the appropriation as applies to building the vessels; and, if it should be thought proper, procure materials and have them in a state of preparation, when our country has more control of funds, or the situation of the nation shall justify it, and make it imperiously necessary, then recommence the building of vessels.]

The bill for the relief of the legal representative of the late col. Daniel Appling was read the third time; and, on the question shall the bill pass? it was decided in the *negative*. So the bill was *rejected*.

The speaker laid before the house a letter from the secretary of war, transmitting a statement of the expenditure and application of such monies as have been drawn from the treasury on account of the war department, for the year ending the 30th Sept. last, under the appropriations of last session: and of unexpended balances of former appropriations remaining in the treasury on the 1st of Oct. 1818; which was ordered to lie on the table.

The house then resolved itself into a committee of the whole, Mr. Taylor in the chair, on the bill providing for taking the fourth census of the United States.

Mr. Campbell explained the views of the committee in adopting and reporting various provisions of the bill.

Several propositions were made in the course of the discussion; among which was an amendment, proposed by Mr. Holmes, to add a column in the census for the enumeration of foreigners not naturalized. A suggestion was made by Mr. Clay as to the mode of making the returns of the enumeration of slaves, so as to show their precise increase, believing that very erroneous opinions were entertained, from the want of accurate information, as to the increase of that class of the population. A motion was made by Mr. Smith, of Md. to provide for collecting, with the enumeration of the inhabitants, the amount of the different kinds of manufactures. The committee spent much time in considering these and other propositions, without deciding on them; and, before they had got through the bill,

The committee rose, reported progress, and obtained leave to sit again; and
The house adjourned.

THURSDAY'S PROCEEDINGS.

In the senate—Among the bills passed was the one for obtaining accurate statements of the foreign commerce of the United States, and to establish a circuit court in the district of Maine.

Mr. Smith, from the committee to whom had been referred the bill for the admission of Maine, reported the same with an amendment.

[This amendment is the whole of the bill to authorize the people of Missouri to form a constitution, &c. without restriction.]

The report being before the senate—

Mr. Pinkney, after adverting to the magnitude of the question involved in this amendment, and the importance of a full examination, clear understanding, and correct decision of it, moved that the bill be postponed to, and made the order of the day for, Thursday next.

This motion was agreed to, *nem. con.*

Adjourned to Monday.

In the house of representatives. Mr. Darlington submitted a motion for an enquiry into the propriety of retroceding and restoring the district of Columbia to Maryland and Virginia, respectively. Mr.

D. said that the people of the district were in a state of vassalage, &c. But the house refused to consider the resolution.

Mr. Walker submitted a motion directing the secretary of war to report to the house what progress had been made in the civilization of the Indians. And Mr. Butler, to enquire what further provisions were necessary to define the crime of piracy.

On motion of Mr. Randolph, it was

Resolved, That the secretary of the treasury be directed to lay before this house statements of the receipts and expenditures of the U. States, from the commencement of the federal government until the 31st of December last, distinguishing the revenue derived from customs, internal taxes, direct tax, postage, public lands, and miscellaneous sources; and also classing the expenditures under the following heads: military, viz: pay and subsistence of the army, fortifications, ammunition, arms, arming the militia, detachment of militia, services of militia, services of volunteers; Indian department; naval department; foreign intercourse; civil list; miscellaneous; civil expenses; revolutionary pensions; other pensions; exhibiting an aggregate of the receipts and expenditures for each year respectively.

The house then, in committee of the whole, resumed the consideration of the bill for taking the fourth census of the United States. Various amendments were proposed, some adopted and some rejected. Finally, the committee rose, and reported the bill to the house, which, with its amendments, was ordered to be printed.

CHRONICLE.

Pirates. Sixteen pirates, caught by one of our vessels of war, and taken to New-Orleans, had their trials on the 22d of November, and were all found guilty. The New-Orleans Courier remarks: "May the rigorous sentence which will, probably before long, be passed upon these criminals, put a stop to the robberies which these fellows exercise on our commerce."

Savannah, Dec. 22 Yesterday came on before the sixth circuit of the United States for the Georgia district, the trial of *Ralph Clintock*, charged with piracy. The testimony of the witnesses developed a scene of infamy, calculated to excite the horror and indignation of every individual present. His counsel urged, in his behalf, many very strong legal points, which were overruled by the court.—The charge of the court was able, eloquent, and impressive, and the jury, after retiring a few minutes, returned a verdict of *guilty*. We understand a motion in arrest of judgment will be made.

Mr. Walsh's "appeal from the judgments of Great Britain," which appeared here at the end of September last, was republished in London, from the American copy, as early as the 23d of November. The price put upon the English copy is 18 shillings sterling.

Missouri. The extent of the proposed state of Missouri is frequently asked. According to the bill reported at the last session, it was allowed a front of 254 miles on the Mississippi, with the Missouri river nearly in the centre, and an average depth of about 200 miles. The St. Louis Enquirer says—"after you get back 40 or 50 miles from the Mississippi, the naked and arid plains set in, and the country is uninhabitable, except upon the border of creeks and rivers."

Died, at Pittsburg, gen. O'Hara, one of the oldest and most respectable inhabitants of that city.

NILES' WEEKLY REGISTER.

NEW SERIES. No. 20—VOL. V.] BALTIMORE, JAN'Y 15, 1820. [No. 20—VOL. XVII. WHOLE No. 436

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

THE SPANISH TREATY. The following singular article is from the New York Evening Post, and our curiosity is not a little excited to see the statement which will justify the facts set forth:—"We have indulged in few observations on this subject, because we were sensible that we were possessed of too imperfect information to render them any better than crude and idle speculations. We have now, at length, become possessed of a history of facts of the most interesting nature, which affords a key to whatever has appeared mysterious heretofore; which, however, we are not yet permitted to disclose at full length, but which enables us to pronounce, with strong confidence, that our disputes with Spain will terminate speedily, amicably, and to the entire satisfaction of this country; and which, at the same time, exempts the king of Spain from all censure. In due time the whole may be laid before the public, and will convince the people that the course which the executive has pursued, has been eminently such a one as prudence, wisdom and justice dictated."

"ROYAL PAPER SYSTEM." A writer in the "Delaware Watchman," whose third number on "National Finance" was published on the 5th inst. addressed the following card to me:—

"Will Mr. Niles have the goodness to inform us whether it is the above system he alludes to, in his Register of the 1st inst. when speaking of a "Royal paper system imported from England, and supported by Englishmen in the newspapers?" &c. &c.

I assure the writer in the "Watchman" that I had no reference to his "system"—for I have not yet had time to examine it—nor had I any allusion to him. My remarks were general, and the facts of the case will, I apprehend, fully sustain them.

THE PAPER SYSTEM. A very respectable gentleman, a physician of Virginia, after speaking of the course pursued in the REGISTER as to this system, in the most flattering terms, says:—"We are convalescent, beyond the possibility of a relapse, if the political nostrums can be avoided. The patient, as we say, stands in need only of kitchen physic—which is honest, industrious, productive labor, to which the people are generally becoming insensibly reconciled."

REVOLUTIONARY PENSIONS. We published in our last an interesting paper from congress on this subject. The amount paid on account of these pensions—more than three millions of dollars *per annum*, has justly caused considerable enquiry and surprise; and reports have gone abroad that many persons are receiving the bounty of government, who are not entitled to it. We observe that a meeting has been held in Connecticut to ascertain the names of the pensioners, and cause those to be erased from the list, if possible, who should not receive the public money, meant to be distributed only to the needy and destitute.

It is very certain, that the disbursement of so great a sum has a very serious effect upon the funds of government—but it will serve as a lesson to congress that will not soon be forgotten, and they will not again precipitate themselves into similar acts.

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I am quite content to pay my part of this expenditure, to those who deserve it—but really unwilling to give any portion of the products of my labor, as a matter of bounty, to men of wealth.

We owe a vast debt of gratitude to the soldiers of the revolution. Many of them were speculated upon—or, in other words, were cheated of the pittance of wages which they so hardly earned, and cast aside as useless lumber to perish. To these I will *divide the loaf*, that their old age may be as comfortable as their youth was beneficial—but *speculators* among them are just as disgusting as any other of the breed.

THE FOURTH CENSUS. When this subject was under discussion last week before the house of representatives, a motion was made to fix the ratio of representation previous to taking the census; but, after some discussion, withdrawn. This, we think, is to be regretted. It might have prevented much clashing of interests, and a great deal of unnecessary *management* hereafter—as exhibited on former occasions.

NATIONAL INDUSTRY. Among the many things that we desire to publish, is a summary of the remarks of that veteran patriot, Benjamin Austin, *esc.* on national industry and economy. My son, however, is about to attempt the publication of a work which has for its purpose the circulation and preservation of articles like this.

"*The Rural Magazine, and Literary Evening Circulator*," which we noticed some time ago, is proposed to be published at Philadelphia, by Richard and Caleb Johnson, has appeared. It is neatly printed on an octavo page, and published in monthly numbers of 40 pages. It promises to be a very useful miscellany, and to contribute much to the stock of knowledge.

RESPONSIBILITY. By the debates in congress on the additional appropriations for the support of the navy for 1819, and on several other occasions, we observe that the old fashioned doctrine of responsibility and precision, as to the expenditure of public money, is frequently alluded to. Anterior to the year 1809, the different items of expenditure were met by specific appropriations; but in that year a law was passed to admit the transfer of moneys from the purpose to which it was appropriated to make up deficiencies in others, &c. Mr. Randolph denounced the practice in his usual strong terms; and the members generally seem to be opposed to it.—It is probable, therefore, as the call for economy is imperious, that there will be considerable reformation brought about in this respect. It was Mr. Jefferson who recommended specific appropriations, and suggested the impropriety of such transfers as are now complained of. Perhaps the law of 1809 will be repealed.

"HARTFORD CONVENTION—Letter I." A letter, thus headed, and signed "one of the convention," appeared in last Saturday's *National Intelligence*. The writer communicates with it the "private journal of the convention." His object is to rescue that assembly from the odium attached to it, by an

exhibition of its whole purposes and proceedings. When the subject is further disclosed, we shall be enabled to determine whether it is necessary for us to insert these letters or any of them. We have held the memory of that convention as infamous; we have oftentimes called it so—but are quite willing to hear what may be urged to cause a change in our opinion respecting it.

EMIGRATION. Extract from a circular to the collector of the port of Baltimore, from the department of state, dated Nov. 30, 1819.

"Sec. 4. *And be it further enacted,* That the captain or master of any ship or vessel arriving in the United States, or any of the territories thereof, from any foreign place whatever, at the same time that he delivers a manifest of the cargo, and if there be no cargo, then at the time of making report or entry of the ship or vessel, pursuant to the existing laws of the United States, shall also deliver and report, to the collector of the district in which such ship or vessel shall arrive a list or manifest of all the passengers taken on board of the said ship or vessel at any foreign port or place; in which list or manifest it shall be the duty of the said master to designate, particularly, the age, sex, and occupation of the said passengers, respectively, the country to which they severally belong, and that of which it is their intention to become inhabitants; and shall further set forth whether any, and what number, have died on the voyage; which report and manifest shall be sworn to by the said master, in the same manner as is directed by the existing laws of the United States, in relation to the manifest of the cargo, and that the refusal or neglect of the master aforesaid, to comply with the provisions of this section, shall incur the same penalties, disabilities and forfeitures, as are at present provided for a refusal or neglect to report a manifest of the cargo aforesaid."

"We should hope, from the preceding, that hereafter we shall obtain correct aggregates, at least, of the arrival of foreigners in the United States, and thereby ascertain the power of emigration about which the people are very little informed.

National Education.

"*May the children of those men who first floated the banner of national liberty over the world, arise, rally round the standard of their intellectual greatness, and fill up, with illustrious characters, the yet unwritten volumes of literary and scientific glory.*" Letter to BUNWELL BASSETT, NILES' Register, vol. 5th, new series, 1819.

Washington, 22nd of 12th mo. 1819.

HONORED FRIEND, HENRY CLAY;

Interesting views of general education, and collateral means auxiliary to the conformation of national character, require to be grounded on practical truths. To elucidate the subject on which I make this communication, I respectfully refer to the record of ages, as evidence in point to the truth of my propositions. History teaches mankind that many nations have declined in morals as they increased in riches; for their public intellect and happiness diminished in proportion as they deviated from that simplicity of manners, which contributes to the true wealth of nations. The most eminent lawgivers of antiquity illustrate this national truth. CÆSAR, who overwhelmed one empire, and established a greater dominion, was as distinguished for virtues as conspicuous for power. His energies and success were derived from simplicity of charac-

ter and practice. The judgment of SOLON was, that "riches brought luxury, and luxury introduced TYRANNY into a nation." SOLON was a true republican—for when he happened to be in the court of the monarch of Lydia, whom he saw arrayed in purple, enthroned in splendor, and surrounded with magnificence, the rich CRÆSUS asked the wise man if he "had ever seen any thing more glorious?" Solon, feeling nothing but contempt for the gilded toys and playthings of a court, answered, "Yes! cocks, peacocks and pheasants." This reply procured his dismissal from court, but not without leaving behind him the forcible impression of a truth, the repetition of which actually saved the life of king Cræsus, when the revolutions of time brought on him the visitations of calamity and defeat.

The same simplicity was inculcated by Socrates, who, on observing a young citizen absorbed in pursuits unworthy an immortal mind, exclaimed, "BEHOLD A GOLDEN SLAVE." PLATO was an example of moderation; he refused a purple robe when presented from a king, saying "I AM A MAN, AND SCORN SUCH EFFEMINACIES." LYCURGUS, by his precepts, laws and example, reared the foundation of Spartan greatness. His institutions were not characterised by those refined distinctions which Burke terms "the Corinthian capital of polished society. The purity of motive and power of example, induced men to yield a ready obedience to his laws. Simple, as mighty, must have been that mind which, in a dark and benighted day, reared a political edifice capable of bearing the convulsions of society, and braving the storms of time for four hundred years! These references are made to revive in thy classic mind, the chain of connection which may be found in the sentiments of these great men, on subjects relating to the rise, progress, or ruin of national character. The original influence of government in antiquity was chiefly applied to a small population. There is one eminent exception, that of MOSES, who led SIX HUNDRED THOUSAND persons from the darkness of Egyptian bondage to the glorious liberty of a free people. An experiment under these striking circumstances, on such an extensive scale of numbers, in a day when political science was in its infancy, could not be very likely to originate with man. The case required the miraculous interpositions which distinguish the enterprise, to crown with success an undertaking involving so great and sudden a transition in the condition of a numerous people. This instance is adduced, not as a case absolutely in point; but as one too important to leave entirely unnoticed. MOSES, undoubtedly, had to legislate for a people, in point of numbers, greatly superior to the early population of Greece or Italy; but, perhaps, a greater change was never produced in the manners of a small nation, than that effected by means of NUMA POMILIUS. His talents were those of a legislator, who taught by example what he enjoined by law. He shone forth as a sunbeam on one of the darkest days in the history of man, and his precepts seemed to carry the conviction of light in their progress. In a limited measure, according to his knowledge of religion, he brought eternal motives into action, and thus infused into his institutions a vigor beyond his laws. The obedience he exacted was prompt and peaceable, diffusing the smiles of serenity over the face of a nation for forty years. The consequences ended not at that period.

Numa headed the march of mind for after ages, while he brightened an iron character by the superior polish of his own—a polish which lasted till the Roman material wore out in the progression of

centuries. The early Romans were a lawless banditti; Numa possessed the superior civilization of the Sabines, and added to that superiority by the virtues of his own great mind! In legislative practice, he exemplified the power of combination, by uniting the energy of the Roman character with the arts of peace and agriculture. His object was not a warlike design, or love of conquest—No!—forty years peace infused his own mild principles into two nations, whose amalgamation was to him, more glorious than a diadem. The praises of Numa were once recited by the little children in Rome, as those of another great man are uttered in America. Children learn to lisp the name of their father and their country in the same breath. Thus it was with Numa; and so, with nobler materials and more important consequences, it is as to a WASHINGTON. States or empires, that have arisen to power or eminence, are known to have taken their moulding and finish of character as much from the forming minds of their legislators, or great men,* as from any other favorable or peculiar circumstance in their day. Man is by nature a creature of example, and when the principle of virtuous simplicity prevails in the mass of a people, the early fathers of a nation reflect their lustre of pure motives and dignified mind, to future ages.

It is said, that "history is philosophy teaching by example," and history indicates that there is a peculiar period—a precise point of time, at which rising nations take a decided cast of character: an era when early virtues and patriotism become national—are interwoven with the uniform and constitutional feelings of a community—gather permanent strength, or sink into the imbecility and decrepitude of a premature old age. If there be a period which occurs in history, more replete than any other, with interest and instruction to statesmen, philosophers and friends of humanity, it is the one at which the formation of character first takes a definite direction. A question, of some importance, may be asked, whether this power, as applied by the legislators of antiquity, may not be acted on by the united energy of a people who are their own lawgivers? In fact, whether the people, and those they elect, by wise and judicious means, may not be able, under the Divine blessing, to mould and form the character of the rising generation, and future ages, to wisdom and integrity, to the development of talent, the expansion of mind, the maturity of virtue!—I am no advocate for the wild doctrine of the perfectibility of human nature, by any inherent

power of its own; but as far as human institutions are susceptible of excellence in point of time, their effect on the mind of nations seems to have commenced at the instant of growth and decided formation of character. Thus we perceive the medium by which *eternal wisdom* has destined the combined mass of uniform feeling in society, to take those impressions and features, which at once brighten, distinguish and ennoble the aspect of a nation.

On one occasion in England, a political empiric, whose name is too contemptible to be repeated in any letter to *thee*, predicted, from a long drought, with exultation, that, in six months, bread would be at a price in London, the amount of which and famine were synonymous terms. Never was a fortune-teller more out in his prognostics—rain was long delayed, but still came in season; for had it not fallen as it did, the harvest must have been ruined. When the clouds poured out their fructifying showers the grain was just forming and beginning to fill. Almost every ear of wheat became double in weight, and nearly fourfold in number of grains. This circumstance first taught me the agricultural consequence of rain, at the precise instant of formation, to the fruits of the field—So with the richness of mental harvest; a nation's future abundance depends upon the well-timed influence of wisdom, operating like "genial dew and fruitful showers," at the critical moment on which the most important future consequences may depend.

Whilst Virginia retains its name, may *hospitality* never cease to be its motto. When lately enjoying that hospitality at Williamsburg, a collection of maps commanded my attention with an interest so lively that I felt obliged to give to my friends an account of the cause. I was looking at the map of NORTH COLUMBIA, from the Atlantic to the Pacific ocean. Under an introversion of mind arising from this view of the nation, I involuntarily contrasted the first settlements at *Junestown* and *Plymouth*, with the present States and their ramifications. Contemplating the increasing spread of the population of the U. States, I was ready to exclaim, "here is an ample footing for another *Atlas*, not merely to stand, but to *travel* from one immense ocean to another with the world and its interest on his shoulders! What an unparalleled national capacity for extension and power. With a destiny so grand, how momentous the importance of forming the national character, while yet plastic, to its eminent prospect and future grandeur!"

In crossing the Atlantic, involuntary admiration often burst forth at the power and goodness of the gracious Creator, in forming the great deep and supporting the innumerable millions of its inhabitants; for mercies surrounded us above, beneath, and on every side! We met many vessels steering different ways, and often distinguished or spoke to those bearing the flag of independence. We naturally associated the colours of a SOVEREIGN PEOPLE with the memory of those intrepid men who first reared that standard, and said to the present and future age, "BE FREE." Whether I contemplate the extent which your vessels traverse at sea, or whether I examine the march of your population, and future extent of domain, I feel like a man astonished, for the first time, with a prospect—sublime enough to leave at a distance, the solemn effect under which the mind succumbs, on a first sight of the Alleghany mountains, or the rushing torrents of Niagara! May those measures be taken in this early day, which shall build up the energies of a nation, travelling on, in the greatness of her

*Extract of an inscription on a monument in the Guildhall of the city of London, to the memory of PITT, EARL OF CHATHAM, the powerful advocate of American rights in the British house of peers.

"The mayor, aldermen and common council, mindful of the benefits which the city of London received in her ample share, in the general prosperity, have erected, to the memory of this eminent statesman and powerful orator, this monument in her Guildhall, that her citizens may never meet for the transaction of her affairs *without being reminded*, that the MEANS by which *providence raises a nation to greatness* are the virtues infused into GREAT MEN, and that to withhold from those virtues, either the living or the dead, the TRIBUTE OF ESTEEM and veneration is to deny to themselves, the means of happiness and honor."

N. B. When the writer of this letter mentions "GREAT MEN," he has no allusion to any greatness, but that which is generated by virtue, truth, piety and talent.

strength, from the sea to the rivers,* from the river to the ends of the earth! Only fifty years past, and that man possessed a daring mind who had intellect to foresee, or intrepidity to speak of an independence which is now the boast of every heart, and the theme of every tongue! Above one hundred years prior to the revolution, certain principles, sacred to liberty, had taken root among you. In many respects the colonies had local and divided interests, but these principles afforded a natural subject of sympathy—a common ground of feeling. A stroke was inflicted at one end of the colonies, and the shock vibrated to the other. It passed through the hearts of multitudes to the remotest point, as by a common conductor of unison in kindred nature. The growth of these principles had been that of a seedling, slow but sure; their maturity was that of an oak, the strength of which was ultimately tried in competition with "Britannia's idol tree." Common feelings and interest constitute the basis of a national character, and it was in the cradle of these that your independence was nurtured, and by these your maturity will be perfected. This was produced that awful conflict which fixed every eye in Europe with anxiety on the interesting scene of action—on the event of a contest which, during its progress, clothed many serious minds of each country in deep mourning; but when an overruling power brought forth your liberties with the sweet influence of the "Pleiades, of Orion, of Arc-turus and his sons," the rising constellations excited the admiration and called forth the gratitude of all who admire the beauties of Heaven, and adore the power who maketh "the clouds his chariot," controuls the storm, and saith to the waves of the sea "PEACE, BE STILL!" The records of time scarcely present an instance of the energies of a total revolution of power, subsiding into quiet with so much rapidity; but our wonder is lessened when we consider that it originated, not in party but in principle, not in the effervescence of an occasion, but the consolidated wisdom of inheritance—not in ill-will to the mother country, but in love to that which gave birth to a people, who were far from being deficient in knowledge, or dead to liberty. The establishments of your state and national governments, have been attended by a peculiar characteristic unknown in the annals of man, without an equal in the modern science of legislation. Colonies have been formed by European powers, not as children training for maturity, but as a species of political idiots, requiring to be kept in subjection, pupillage and dependence, also compelled to pay ample tribute for the power exerted as prerogative, under the mask of protection.—You colonize yourselves. Your new settlements arise to maturity, they become independent states and members of the great confederated family. The new states legislate for their local good, and possess their voice in the national interest. Could time, personified, be asked the question, he would say this is an anomaly; a fact standing *solus* on his records. Let us consider that thirteen states may multiply to one hundred! What a responsibility does it place on those who take the lead in the offices of the present day, deeply to consider what measures can be taken to mould the character of a future age to the map of possession and station of dignity. Is not the time arrived? Has not the era commenced on which your cast of future character, not as to reputation, but national and mental energy depends? Emancipated from the trammels of infan-

cy, and past the chaos of a revolution, you have arisen to your place and taken rank among the nations. You possess principles which only need perpetuation to give permanency to the power of institutions—the basis of which requires to be simplicity and wisdom, knowledge and virtue! One essential means to attain this great end, is the utter banishment of ignorance from within your borders. To crown this object with success, nothing should be esteemed completely done, till the infant, who has yet first to lisp the name of his country, may glory, as he learns to speak, that, as to elementary knowledge at least, not one uninstructed child can be found to pollute the soil of liberty, with the foot-step of ignorance!—You must ultimately arise to great eminence, not only as an agricultural, but commercial, manufacturing and scientific nation. *It seems the decree of Heaven*, and man cannot reverse it. The raw material, which experimental science requires to render utility to the comforts and welfare of man, has actually been developed, so as to increase its powers several hundred fold, within four centuries. On ascending to the rank of nations, you are greeted by the intellect of ages; the genius of human happiness presents you a cup, rich with mental luxury. Arts, sciences, manufactures and commerce, are now at a new era in their progress. It is for you to enrich your children, and your children's children, by giving to them, *universally*, such an education and conformation of character, as may enable them to serve their country by the power of mind—to blend the wisdom of ages with the vigor of a nation's youth! You possess wonderful means for increasing the materials of knowledge, or rendering much more splendid and serene this intellectual period of the world.*

Youth acquire the elements of learning, but they too often stop at that point; the knowledge of elemental principles, indeed, afford the basis of all combination in art, science, or philosophy; but elements are of little use without their application. This nation has a great destination, capacity and power given it by Almighty Providence; surely it will be wisdom that the education of youth, after the elements of instruction are attained, ought to consist in such a course of general knowledge of men and things, as may best comport with the destiny, character and pursuits of the country; an acquaintance with the arts of life will often determine the mind to that line of action which it may find most congenial to its feelings and abilities. It is a defect, not only in the state of education in this country, but over the world, that much general knowledge is acquired without an index, arrangement or connection; consequently it is left diffused and unavailable, when it ought to be concentrated so as to be called into action upon emergency. Much knowledge may be in possession and the power of association will revive it incidentally; but the ability of that memory and mind must be furnished to great brightness, that can summon its associations, and apply its general knowledge to specific objects, *at will*. Systematic education, to promote this end, must consist, not only in the course of study, but in its practical application.

While the character or qualification of teachers of youth is left to chance, undervalued, or not adapted to the great trust committed to their charge, the mind of the rising race must be, in pro-

*Mississippi, Ohio and Missouri.

*This subject has been specifically treated, in a letter to BRWELL BASSETT, on national institutions, to which I now refer thee; the motto to this communication is an extract from the same.

portion as their teachers are disrespected, unqualified or degraded. Any measure that may be devised to improve the condition of teachers, without enhancing materially the cost of education, will be a national desideratum. It is a singular fact that professions which require talent, are rarely entered upon without a course of study; or rendered productive of support, unless recommended by experience. But it seems any person may become a schoolmaster without preparation, or proper qualification, to a country's loss. This evil requires a remedy.

The renovation of old ideas, often afford to the mind as much gratification as the acquisition of new ones. True classic taste, whether ancient or modern, can speak a volume in a sentence, a simile or a word; but the powers of art always pay tribute to those of nature. Correct classic taste delights by the associations it renovates, by the knowledge it revives, as much as by the instruction it bestows. Scripture classics are superior to all others. They never travel out of the line of propriety,—in affording proofs of inspiration, present to view a deep knowledge of human nature, a sublimity of scenery, connection, and without a parallel object. They possess an elegance of language suitable to a subject, where nature lives and breathes in every sentence, and the countenance of a Deity sheds its benign lustre over every line! I have often wondered that, when elementary education is finished, the beauties of scripture truth, as to dignity of style, purity of morality, and majestic views of Omnipotence, are not made the first lessons of regular instruction. If I am favored to rear an institution of my own in this, my adopted country, so deeply do I feel the importance of first impressions on the youthful mind, that this will be an object of peculiar attention, not as a *sectarian*, but as a Christian, a teacher of youth, and a citizen of the world. Here I could enlarge on other topics, but I wish to avoid details at present, as I have promised to enter upon them, as connected with national education and the Lancasterian system, in a second letter to my friend, Burwell Bassett. In addressing the present communication to thee, I have been solicitous to dwell only on the subject of universal education as connected with national prosperity.

To the American people, "knowledge is power, liberty and peace!" Every circumstance or means which can be rendered conducive to its promotion, will, I am convinced, be estimated by thee, and men of congenial minds, as rendering more legible, a grand clause in the constitutional charter of your happiness. Next to the possession of information, it is of no small consequence that knowledge should become a *circulating medium* among you, and I hope the day is not distant when your public spirit will induce the training of lecturers on chemistry, experimental philosophy, mechanics, and the arts of life, the constellations of Heaven, and the treasures of the earth, in connection with some public body to sanction their movements, and prepare their reception over the union. This will revive the dormant knowledge of the aged, confer the blessings of instruction on the young, and, seconding the universities, systematically spread over a mighty people the radiant streams of intellectual acquisition!

In all these views of the subject, it is essential to keep in mind, the necessity of associating every good with that simplicity which was inculcated by the precepts of those extraordinary men, whose examples do honor to the human species. Infinite

wisdom has ordained, that the bones of children be more liable to bend than break, as they have little burthen to support, and need facility to their growth. In after life the case is different. The Divine foresight has decreed that a decided conformation takes place, which gives firmness and vigor to the full maturity of the adult man. It is thus with new states, young in legislation, weakness often attends their first movements; time and experience matures mental, as well as animal strength. When we consider that children, if stinted in their food, are weak and dwarfish in their growth, and subject to constitutional imbecility ever after, we may appreciate the weakness which will attend the advanced age of a nation, if its early advantages have been neglected. If a nation has not its adequate nutrition at the period of its growth, the opportunity once lost can never be recalled; there is no such thing in nature as second youth, though there may be a second childhood! Perhaps the period is already at hand, when the weight of instructed minds in a nation, will be estimated by the statesman as part of its effective strength; for the maturity of its ability and experience, contribute to the treasure and welfare of a country—a simple truth, but disregarded in ages of political ignorance.

Skilful anatomists tell us, that such is the wisdom displayed in the equipoise of the muscular powers of man, that the vigor which moves his body and directs his steps, thrown, in the least direction, out of the equilibrium that controls them in operation, would turn their energy against the very body they are intended to support, and breaking the bones, as pillars of the living temple, crush the whole structure to ruin! It was such misdirection in mental pursuits, that in early ages, united pride with the possession of knowledge, and perverted its best objects to selfishness. Thus practical mathematics were contemned; and yet they teach men to measure the earth and span the visible heavens, mark the boundaries of an estate, a country, or an empire, and measure the paths of the navigator on the trackless deep—contribute to the perfection of mechanics and machinery, enrich the cabinet of arts and science, the treasury and wealth of nations. These all were accounted inferior, menial and degrading pursuits, from the ancient philosopher to the more modern effeminate noble. Even Archimedes, who distinguished himself so eminently by inventions in practical mechanics, left no record of them behind him. Pride, misdirecting the mental energies of men,—prevented the practical application, to the useful arts of some of the grandest discoveries since the dawn of science. Thus men, society and nations, during many revolving ages, were deprived by mere pride of much of their mental power—as bodies, whose muscular system is out of equilibrium, are bereaved of their natural strength.

Let it not be imagined for a moment, that I consider this great people as destitute of a national character. I see too many instances of uniform feeling, to convince me of the contrary. However, I am equally satisfied, that this is an era at which is to commence its decided form and perfection. This subject is one so highly interesting, as a legislative example to mankind, that any friend to the human race, will find it impossible to avoid solicitude, that the foundation already advanced may be so deeply laid, extended and cemented, as firmly to support a structure which may stand for ages, a monument to an admiring world, showing forth a light which may be hailed as the

auspices of hope to a thousand nations. America acts independent of precedent, for the *whole* people are sovereigns, lawgivers and legislators for themselves. When a father is possessed of a large estate, capable of great improvement, he wishes judiciously, not only that his son and heir should be well educated, but be made fully acquainted with the estate he is to inherit, its capacities for improvement, the means of increasing the produce and enhancing its original value. This elucidates the effect which national education ought to produce on the minds of youth. I he share which every citizen holds in his country, being only a joint part in the original value and increasing income of a national property. Education can never be considered as complete, when it is not universally applied to advance the interest of the country, as well as qualify the individual for the duties of society. I am not a native, yet I am no alien to the best interests of America. No small addition has been made to my happiness among you to find that party spirit moves softly, and men of opposite opinions mostly deal in mildness and urbanity toward each other. It is with heartfelt pleasure I have experienced the noble and generous candor of the minds of men who care not from what quarter, or from whom good originates, provided the country they love is exalted and enriched by its possession. Men who can botanize in the garden of the world, and with scientific skill, select the most fruitful exotic plants, with a design to render them indigenous blessings to their native soil. A peculiar advantage to this nation is that equality of vote and interest which opens the way for virtue and talent to raise to its sure eminence, or find its proper level. Had this simplicity been in ancient Rome, Jugurtha, the corrupt Numidian prince, would never had reason to say, "its senate might be purchased if any man could be found rich enough to pay the price." It is not an establishment of schools at national expense which I recommend, but it is the imperious necessity, of to watch, direct and perfect for public good the course of study; and the principles inculcated on the minds of youth, for those *essentials* which shine in your constitution, or conduce to the future prosperity, ought to be engraven on the heart of every child who breathes the hallowed air of freedom. Thus the privileges of the fathers, may be transmitted, an unblemished inheritance, to their children. So it was with Rome, the simple and dignified virtues of a *Numa*, after more than two hundred and fifty years, were found emblazoned on the heart of a *Cincinnatus*. One of the most eminent English friends* to the revolution, delivered a discourse on the improvement of the state of mankind, in which he earnestly urged a particular attention to education. He considered it a subject with which we are yet but partially acquainted, and asserted that "A SECRET may remain to be discovered in education, which will contribute more than any thing, *yet known*, to improve the condition of mankind." It may be boldly maintained, that whatever advantages are to be derived from improvements in education, or a wise direction of study, the benefit to be anticipated will depend upon the GENERAL application of its power to that body of rising intellect, out of which is to be formed the legislators and patriots, the great men of a future age.

You, who are the elected leaders of a people, capable of following in a field of glory which shall be more excellent "than mountains of prey," and, com-

pared with which, the achievements of heroic ages will lay their proud trophies at your feet, must be aware that the homage of every thing that bears the name of virtue, or goodness, awaits as the rich reward of those energies which your country requires to be put in action, in a day that calls for diligence, to rear successfully the superstructure, and bring forth the graceful corner-stone of your political edifices, sacred to all that man can enjoy, with its inscription of "peace on earth and good will towards men."

DEMOSTHENES said that "man's happiness was to be like God; and to resemble him, we must love truth and justice." But the world needs a great national precedent of the application of this and other grand truths, to legislation in perspective. It is for America to exemplify their effects on the greatest scale that ever fell to the lot of any people. But it may be considered as a moral impossibility, that in a nation where principle and piety have long operated with leavening effects, that whatever measures are taken, they will possess advantages which the ancients had not. That, free from party spirit and narrow sectarian motives, the mild and the benignant influences of christianity will be *always* introduced to the minds of youth in education, as a light that HATH GONE FORTH AS BRIGHTNESS—A SALVATION WHICH IS AS THE LAMP THAT BURNETH.

I remain very respectfully, thy obliged friend,
JOSEPH LANCASTER.

British License.

On the 26th of November, (says the Boston Patriot) sir William Scott, in the British court of admiralty, pronounced judgment against the owners of the ship *Felicity*, capt. Smith, of Boston; which ship was taken and destroyed by capt. Hope, of the British frigate *Endymion*, on the 1st January, 1814, being then in the prosecution of a voyage from Cadiz, (*where she had carried a cargo of provisions*) to Boston, where her owners resided.

"Taking this ship and cargo to be merely American, (says judge Scott) the owners have no right to complain of this act of hostility in this court, for their property was liable to it in the character it bore at that period of enemy's property. But it is contended that the hostile character was disarmed by a license, and I see no reason to dispute either the existence of the license or its authority. It had been granted under circumstances that have been justly described as highly favorable. She had carried a most seasonable supply from America to Cadiz, a city much connected with and protected by our country, during the severe progress of our war with France for the liberation of Spain, in which this city had become the only remaining strong hold. She had undertaken this duty under the dangers of a heavy responsibility to her own country, then at war with Great Britain, and having successfully performed it, was returning home under the protection of a renewed license from the British minister at Cadiz. It is not to be denied that these facts create claims of a very strong and commanding nature, quite irresistible if urged in a proper manner; and the only question is this, whether they are so brought forward as to affect the captor with responsibility. Upon this I take it to be clear, that, if the captor knew of the license, either from its production or other circumstances, which ought to have satisfied him of its existence, he is liable to the whole extent of the mischief done, valued at £12,000. It is as clear a position, contra, that, if the existence of the license was not disclosed to him, by those whose

*Dr. Price.

duty it was to inform him, and he had no sufficient means to inform himself, he is not a wrong-doer."

Judge Scott then adverted to the affidavits of capt. Hope and the three lieutenants of the *Endymion*, stating that the masters and mariners of the *Felicity* denied that they had a British license, (under the impression that it was an American frigate) until the ship was set on fire. It does not appear from the case as reported, that capt. Smith denies this. The supercargo, however, openly denies it. He states in his affidavit that he repeatedly assured capt. Hope, before the signal for burning was given, that they had a license; and that "when Ormond (the British lieutenant) went on board the second time, he took him aside, and informed him that capt. Smith and himself had nothing to fear from a *British*, but only from an *American frigate*! for they had a *British license*," he said so from a conviction that it was a British frigate, although the captain had expressed some doubts of it."

"But it has been said (continued Judge Scott) that captain Hope ought to have presumed from other circumstances, that the vessel was engaged in British trade. A very unfair duty indeed to impose upon him the task of presumption, and the necessity of acting on such presumption, in contradiction to the assertions of the parties themselves, this can hardly be called a fair position. The important question of fact is, did these persons hold out this ship as an unprotected ship, and thereby authorise captain Hope to deal with her as an enemy, till after the act of destruction was beyond prevention or remedy? I am clearly of opinion that they did, and therefore dismiss the captors from all responsibility of proceeding to adjudication, and condemn the other party in costs."

Foreign Articles.

GREAT BRITAIN AND IRELAND.

The London Gazette of Nov. 13, announces forty-four bankruptcies. A London paper observes "this is worse than the average contents of two gazettes in ordinary times."

On the 2d of November, a meeting of "radical reformers" took place at Glasgow. About 30,000 persons were present; they passed through Tron-gate with flags, music, and a cap of liberty carried by a young female. They had also a large broom placed on the top of a pole, with this inscription, "Sweep corruption;" a cabbage stock, with all the thin portion of the leaves eaten away by insects, and only the *radical*, with the former supporter of the leaves left; an old tea-pot with some indigenous plants, and below it an inscription of "fine cheap tea without taxation;" a representation of a Manchester yeoman cutting down one of his townsmen; Wallace, pushing his sword thro' an enemy to Scottish freedom; a figure, staggering under a load of taxation, with several others, were seen approaching the hustings in all directions, while the people made way for them, and the bearers marched in and deposited their staffs and caps of liberty, and the females sat on and around the hustings. A squadron of cavalry, with two pieces of artillery, were on duty.

The Glasgow Courier of Nov. 25th, says "that in the garden of a Mr. Hanney, in Bangor, Ireland, there is a pear tree, which has produced three crops this season, and now has a fourth."

The navy.—The following is a correct return of ships building, and ordered to be built in the several dock-yards—

Total— 3 of 120 guns, 1 of 106, 2 of 104, 8 of 84, 1 of 80, 6 of 74, 5 of 60, 29 of 46, 13 of 28, 1 of 20, 22 sloops of 10, 6 bombs, 2 cutters.—Grand total, 100.

[Now if we, the United States, were building half so many vessels—what would be said about it?]

The old king. A late London paper says—A gentleman who has been in his presence a short time ago, states that the appearance of our aged monarch is the most venerable imaginable. His hair and beard are white as the drifted snow, and the latter flows gracefully over a breast which now feels not the pleasures or the pains of life. When the gentlemen saw him, he was dressed in a loose satin robe, lined with fur, sitting in an apparently pensive mood, with his elbows on a table and his head resting on his hands, seeming perfectly regardless of all external objects.

FRANCE.

Marshal Grouchy, under the name of lieutenant general count Grouchy, has, by a public decree of the king, been restored to his "rights, titles, rank and honors."

SPAIN.

His majesty, the king of Spain, lately requested his imperial majesty, in a private letter, to send him forty priests from the Jesuits' colleges in Russia, (particularly Italians and Germans) for the good of his states, and for the foundation of new schools, and colleges in his colonies. Prince Gallatin, minister of ecclesiastical affairs, having made a report on the subject to his imperial majesty and consulted with the general of the order of the Jesuits, at Polock, has ordered that such members of the order as appear to the general to be qualified, and are by birth Italians or Germans, may go to Madrid. Priests from the different colleges have set out for Germany with Russian and Spanish passports.

Petersburg Int.

GERMANY.

Legible writing. The grand duke of Baden has issued an ordinance enjoining all public functionaries in his dominions, who sign their names in an illegible manner, through affectation, to write them in future so that they can be read, under the pain of having any document illegibly signed, thrown back on their hands.

ITALY.

Of the number of manuscripts found in the ruins of Herculaneum, and which have been there enclosed during 1696 years, 88 have been unrolled, and are now legible. There are 319 utterly destroyed—24 have been given away as presents. It is hoped, that from 100 to 120 may yet be saved out of 1265 manuscripts that remain to be unrolled and deciphered, by means of a chemical operation, which will cost about £3000 sterling.

IONIAN ISLANDS.

There was an insurrection at Maura, one of these islands, on account of a tax—it was feared that it would become general. The British *protecting* troops had been sent to quiet the disturbances.

RUSSIA.

London, Nov. 24. A private correspondent informs us, that the emperor Alexander has laid in his vast empire the foundation of a *representative government*. According to the plan, the civilized parts of the empire, whether in Europe or Asia, are to be divided into ten governments, who are to have provincial states; and these again are to choose a general representation, which is to consist of two houses. We must again plead our want of room for comments.

EAST INDIES.

A certain person named Croft, having in a most villainous manner seduced a young woman, who destroyed herself in consequence, being tried for it, was fined by the jury at Calcutta, in the sum of 25,000 rupees.

AFRICA.

Several attempts are now making to explore the interior of this country, and a scheme for opening a grand commercial intercourse with Tombuctoo and Sudan, has been planned, which promises success through the protection of the emperor of Morocco.

London, Nov. 30. We learn by a letter from the celebrate Italian traveller, *M. Belzoni*, that he has recently performed a journey into the deserts of Lybia, to examine there the environs and ruins of the temple of Jupiter Ammon. This journey lasted 50 days, during which time he saw different ruins, several temples and other remarkable objects. After having traversed the desert, he arrived at the place where the temple is supposed to have existed. The country was fertile, and he found some villages, but the inhabitants of the country, where, perhaps, for several centuries an European had not been seen, were very savage, and would not suffer him to pass, because they imagined that he was looking for treasures in their country. The ruins of the temple he discovered had been employed in the construction of another temple, which is already in part destroyed, and in forming the foundation of the cabins of a village. The most remarkable thing, however, discovered by *M. Belzoni* in those environs, is a spring of living water, of which *Herodotus* makes mention, warm in the morning and evening, cold at noon, and boiling hot at midnight. *M. Belzoni* has brought away some of this water for the purpose of analysing it.

SOUTH AMERICA.

Our latest advices from Bolivar, at Sante Fe, in Granada, are dated the 30th Sept. Every thing appeared to be auspicious to the cause of emancipation—his battle with the royalists at Boyaco seems to have accomplished every thing desirable, in this quarter, as to the discomfiture of the royalists. The general was preparing for new expeditions,—Granada being free, it was thought he would spread the spirit to Peru and himself advance into the provinces of Sante Martha and Carthagená, which appear to be filled with persons well affected to the patriot cause, and destitute of an efficient *Ferdinandish* force to defend them. He had proposed a very liberal exchange of prisoners to Samano, the royal general commanding in Carthagená, and speaks to the latter after the manner of a man who feels the power to command what he solicits, or punish a slight of his request.

A provisional government has been established in Granada—it is proposed that it shall be united with Venezuela.

Expedition to the Yellow-Stone.

Report of the committee on military affairs, in relation to expenditures which have been, and are likely to be incurred, in fitting out and prosecuting the expedition to the Yellow Stone river, and other objects connected with the said expedition; together with a statement of the distribution of the army of the United States, its total strength of garrisons, &c. &c.

House of Representatives, Jan. 3, 1820,

The committee on military affairs have, according to order, inquired into the expenditures which have been and are likely to be incurred in fitting out, and prosecuting the expedition ordered to the mouth of the Yellow Stone river, on the Missouri, and concerning the objects intended to be accomplished by the expedition. The movement of the troops, made and intended to be made, and the incurred, and estimated expense, appear by the letter of the quarter-master general to the secretary of war (marked A.) and the statements numbered 1, 2, 3, and 4; the objects of the expedition are fully explained by the letter of the secretary of war to the chairman of the military committee, (marked B.) The committee have also obtained a statement of the distribution of the army of the United States its total strength, and the strength of the garrisons, and posts, (marked C.)

All which is respectfully submitted.

Letter from the quarter-master-general, to the secretary of war.

QUARTER-MASTER GENERAL'S OFFICE,

December 28, 1819.

SIR:—In obedience to your order, requiring a statement of the expense incurred by the movements on the Missouri, and an estimate of the sums which will be required for the ensuing three years, I have the honor to report, that several of the accounts connected with those movements have not yet been received, particularly that of colonel James Johnson, who was employed as a transporter of troops, provisions and stores. But, on the most liberal estimate, I am convinced that the whole expense of the movement for the present year, including all the supplies furnished by the quarter-master's department, cannot exceed one hundred and sixty-three thousand dollars. From that sum should be deducted the expense which would have accrued, had the troops remained at their former stations, as well as the entire value of the barges, batteaux, and other means of transportation, (the property of the government) attached to the expedition; and the remainder will be the amount of expense actually incurred. As the establishments on the Mississippi are included in the plan of defence for the western frontier, it is thought that a statement of the movements made, of the works established, and of the expense incurred, might not be unsatisfactory.

By a reference to the accompanying statements, it will be seen that the expenses of the establishments, both on the Missouri and Mississippi, will diminish every year. Those statements are predicated upon arrangements already made for the supply of a part of the provisions, all the forage, fuel and quarters, and, after the next year, the greater part of the transportation, by the troops, and at but trifling expense to the public.

No. 1. shows the movements, and the works established by the troops on both rivers.

No. 2. is a statement of the expense incurred by the movements on the Missouri, and an estimate of the probable expense for the ensuing three years. You will perceive that the two regiments have cost sixty four thousand two hundred and twenty-six dollars more than they would have cost had they remained at their original stations. With that additional expense one of the regiments has been moved nearly three thousand miles; barracks have been erected for a thousand men, and an important work has been established, which will enable us to hold in check the powerful and warlike nations of Indians,

No 3. is a statement of the expense incurred in making the establishment on the Mississippi, with an estimate of the amount required for the next three years. The troops on that river have cost less than they would have cost at their former stations, in consequence of their having provided boats, fuel, quarters, &c. without expense to the government. The greater part of the transportation on the Mississippi will be done, in future, by the troops, by which a considerable sum will be saved.

No. 4. is a statement of the works on which it is proposed that the troops be employed. It is believed that those works may be accomplished in less than three years; they will be important in any plan of defence, particularly the roads, and the avenue formed by the Fox and Ouisconsin rivers, which will be necessary to afford a communication between the several frontier posts, and between those posts and our settlements.

I have the honor to be, sir, your obedient servant,

TH. S. JESUP,

Quarter-master general.

The hon. J. C. Calhoun, secretary of war.

[Tables No. 2, and 3 exhibit a saving, by the expedition to the Mississippi, for 1819, and the three succeeding years, compared, with what their expenses would have been, had the troops remained at their former stations, of \$73,487 84; and an extra expense for the Missouri expedition, estimated for the same term, of \$51,362—resulting in a saving, in the course of four years, in the two expeditions, of \$42,485 84.]

No. 4.

Summary of the movements which will be made by the troops composing the Missouri and Mississippi expeditions, in the course of the ensuing season, and the manner in which it is proposed to employ them.

It is proposed to move the rifle regiment from the Council Bluffs to the Mandan villages, and to erect barracks there, properly defended, for five hundred men.

To remove some of the principal obstructions to the navigation of the Missouri river, such as planters, sawyers, and rafts; this work may be accomplished by the troops on the Missouri, in the course of three winters.

To open a road from Chariton, in the Missouri territory, to the Council Bluffs, and thence to the Mandan villages.

To open a road from the Council Bluffs, to the post at the mouth of St. Peter's, on the Mississippi.

To improve the navigation on the Ouisconsin and Fox rivers, and connect them by a canal, or good road, in order to facilitate the communication between fort Howard at Green Bay, and Prairie du Chien, on the Mississippi; those rivers are navigable for batteaux, within one mile of each other.

B.

Letter from the secretary of war, to the chairman of the military committee.

DEPARTMENT OF WAR,

December 29th, 1819,

Sir:—In reply to your letter of a recent date, requesting to be informed of the expenditures which have been, and which are likely to be incurred in fitting out, and prosecuting the expedition ordered to the mouth of the Yellow Stone on the Mississippi river, and of the objects intended to be accomplished by the expedition, I have the honor to make the following statement:

COMPS.	Whence the movements were commenced.	Routes by which the movements were made.	Present stations of the troops.	Distance from the points of departure to the first sent station.	REMARKS.
6th Regiment of Infantry	Plattsburg, N. York	New York, Pittsburg, and St. Louis	Council Bluffs	2,628	At Council Bluffs a strong work has been erected by the troops, for the security of the cantonment, and barracks sufficient for the accommodation of 1000 men. Provisions, clothing, stationary, and camp equipage, for one year, and ordinance and ordnance stores, to complete the establishments, have been forwarded to the respective posts. At Prairie du Chien the barracks have been repaired by the troops, and the wheat secured, sufficient for the subsistence of the garrison for the ensuing year. At St. Peter's, barracks have been erected for the accommodation of the troops, and a work commenced for the security of the post.
Detachment of Riflemen	Philadelphia	Pittsburg and Saint Louis	Council Bluffs	2,350	
Detachment of Riflemen	Prairie du Chien	Belle Fontaine and Missouri	Council Bluffs	1,270	
Detachment of Riflemen	Belle Fontaine	Missouri river	Council Bluffs	670	
Detachment of Riflemen	Martin Cantonment	Missouri river	Council Bluffs	280	
Detachment of 5th Infantry	Philadelphia	Pittsburg and Saint Louis	Prairie du Chien	2,180	
Large detachment of the 5th Regiment	Detroit	Green Bay, Fox, and Ouisconsin rivers, to Prairie du Chien, thence by the Mississippi	Saint Peter's	1,270	

The enclosed report and estimates from the quarter-master general, marked No's. 1, 2, 3, 4, with a statement of the duty performed, and that which is contemplated, exhibit the expense of the expedition up the Missouri, for the last, and the next succeeding three years, with a similar statement in relation to that on the Mississippi. Though the last is not referred to in your letter, yet, as the two movements constitute a part of the same system of measures, I believed that it would not be unacceptable to the committee to receive a statement of the whole of the expenses incurred, or likely to be incurred, in its execution.

The expedition ordered to the mouth of the Yellow Stone, or rather to the Mandan village, (for the military occupation of the former, depending on circumstances, is not yet finally determined on,) is a part of a system of measures, which has, for its objects, the protection of our north-western frontier, and the greater extension of our fur trade. It is on that frontier only, that we have much to fear from Indian hostilities. The tribes to the southwest are so inconsiderable, or so surrounded by white population, and, what is of not less importance, so cut off with intercourse from all foreign nations, that there are reasonable grounds to believe, that we shall, in future, be almost wholly exempt from Indian warfare in that quarter. Very different is the condition of those in our north-western border. They are open to the influence of a foreign power, and many of the most warlike and powerful tribes; who, by the extension of our settlements, are becoming our near neighbors, are yet very little acquainted with our power. To guard against their hostility, it has been thought proper to increase our forces on that frontier from one to three regiments; and to occupy new posts, better calculated to cut off all intercourse between the Indians residing on our territory, and foreign traders or posts; and to garrison them with a force sufficiently strong to the overawe neighboring tribes. With this view, measures have been taken to establish strong posts at the Council Bluffs and the Mandan village, on the Missouri; at the mouth of the St. Peter's, on the Mississippi; and the falls of St. Mary's, between Lakes Superior and Huron. The posts at Green Bay, Chicago, Rock Island, and the Prairie du Chien, will still be continued. The posts at the mouth of the St. Peter's, and at the Council Bluffs, have already been occupied; and that at the Mandan village, will probably be, the next summer. The position at the falls of St. Mary's has been reconnoitered, and it is intended to make preparation the next summer to occupy it. The occupation of these posts with an adequate force, will, it is believed, by establishing over the various tribes in that quarter, the influence of our government, and preventing or diminishing that of others, have the most beneficial effects. The position at the Council Bluffs is a very important one, and the post will consequently be rendered strong, and will be occupied by a sufficient garrison. It is about half way between St. Louis and the Mandan village, and is at that point on the Missouri, which approaches the nearest to the post at the mouth of the St. Peter's, with which, in the event of hostilities, it may co-operate. It is besides not more than one hundred and eighty miles in advance of our settlements on the Missouri, and is in the centre of the most powerful tribes, and the most numerous Indian population, west of the Mississippi. It is believed to be the best position on the Missouri, to cover our flourishing settlements in that quarter, and ought, if it

were wholly unconnected with other objects to be established for that purpose alone.

The position at the Mandan village has been selected for a military post, on account of the many advantages which it is supposed to possess. At that point, the Missouri approaches nearest to the establishment of the Hudson Bay company, on the Red River of the Lakes, near the mouth of the Assinaboin, and at the same point, it takes a direction to the south, which, in the event of hostilities, would render it more difficult for any force which might be brought against it from the possessions of our northern neighbors, to interrupt its communications with the posts below. It is besides well situated to protect our traders, and to prevent those of the Hudson Bay company from extending their trade towards the head waters of Missouri, and along the Rocky mountains within our limits, which tract of country is said to abound more in fur, and of a better quality, than any other portion of this continent. The post at the mouth of the St. Peter's is at the head of navigation on the Mississippi, and in addition to its commanding positions, in relation to the Indians, it possesses great advantages, either to protect our trade, or prevent that of foreigners. The post contemplated at the falls of St. Mary's, will, it is believed be of great importance. The position, as has been stated, has been reconnoitered, and it is found that the communication between the two lakes can be commanded from our side, as the channel passes close under the western shore. The post may be established and maintained at a very little additional expense. When these posts are all established and occupied, it is believed, with judicious conduct on the part of our officers, that our northwestern frontier will be rendered much more secure than heretofore, and that the most valuable fur trade in the world will be thrown into our hands.

Trade and presents, accompanied by talks calculated for the purpose, are among the most powerful means to control the action of savages; and so long as they are wielded by a foreign hand, our frontier must ever be exposed to the calamity of Indian warfare. By the treaty of 1794, Great Britain obtained the right of trade and intercourse with the Indians residing on our territory; which gave her nearly a monopoly of the trade with the various tribes of the lakes, the Mississippi, and Missouri, and a decided control over all their measures. The effects of this ascendancy over them must be remembered and lamented, so long as the history of the late war shall be perused. The most distressing occurrences, and the greatest disasters of that period, may be distinctly traced to this. This right of intercourse and trade with the Indians, which has proved to us so pernicious, terminated in the war, and was not reserved by the treaty at Ghent; and, in the year 1816, congress passed a law, which authorised the president to prohibit foreigners from trading with the Indians residing within our limits, and instructions have been given under the act, to prevent such trade, but is obvious that the act and instructions to Indian agents can have but little efficacy to remedy the evil. Without a military force, properly distributed, the trade would still be continued, and even if it were prevented, that which is more pernicious would still remain—Indian talks at the British posts, accompanied with a profuse distribution of presents.

This intercourse is the great source of danger to our peace, and until it is stopped, our frontier cannot be safe. It is estimated that upwards of three

thousand Indians from our side of the lakes, visited Malden and Drummond's Island the last year; and that, at the latter place alone presents were distributed to them to the amount of ninety five thousand dollars. It is desirable that this intercourse should terminate by the act of the British government; and it is believed that it has been continued by its agents in Canada, rather in consequence of the practice before the late war, under the treaty of 1794, than by the direct sanction and authority of that government. Its attention has, however, been called to it through the proper department; and as it is wholly inconsistent with the friendly relations between the two countries, it is hoped that it will not be permitted in future. The occupation of the contemplated posts will, in the mean time, put into our hands the power to correct the evil. The posts on the lakes will enable the government, not only to check effectually all trade with foreigners in that quarter, but also to restrain the Indians from passing our limits. On that side the remedy will be complete. On the Mississippi and the Missouri, the posts at the St. Peter's and Mandan village are well selected for the same purpose. From the Lake of the Woods, westwardly, the 49th parallel of latitude is the boundary established by the late convention between the United States and the British possessions. The Hudson Bay and the North West companies have several posts and trading establishments, which are believed to be much to the south of this line, and, consequently, within our territory. When the boundary is ascertained and marked, the policy of the act of the 29th April, 1816, already referred to, may, by means of these posts, be effectually enforced; and in that quarter, as well as on the side of the lakes, we shall have the power to exclude foreigners from trade and intercourse with the Indians residing within our limits. The facility of communication, by the Mississippi and Missouri, with our posts on those rivers, is so much greater than that between Hudson Bay or Montreal (particularly without passing through our territory,) and the British posts north of ours, that our ascendancy over the Indians of those rivers, both as to trade and power, ought, with judicious measures on our part, to be complete.

I deem it my duty respectfully to suggest to the committee, as it is intimately connected with the subject of the present inquiry, that the present system of Indian trade is defective; and that, besides endangering the peace of our country, it cannot meet on equal terms, the well organized trading associations of our northern neighbors. I will, however, forbear from presenting any additional observations on this point, as the report which I had the honor to make to the house of representatives on the 5th December, 1818, contains my views in relation to it.

The ultimate success of the contemplated measures must, necessarily, depend very much on the manner in which they are executed. With this impression, great care has been taken to select officers every way well calculated to effect the objects of government. Strict orders have also been given to use every effort to preserve peace with the Indians, and impress them favorably with our character; and it affords me much pleasure to state to the committee, that the conduct of colonel Atkinson (who has received every aid, in the Indian department, from major O'Fallon, the agent,) and colonel Leavenworth, the former of whom commands the troops on the Missouri, and the latter those on the Mississippi, as well as that of their officers and men, has been very satisfactory, and has fully justified the

confidence reposed in them. There is every reason to expect that, under their judicious conduct, the posts will be established and maintained, without exciting the hostility or jealousy of the Indians.

J. C. CALHOUN.

Honorable A. SMYTH, chairman
of the committee on military affairs.

Domestic Industry.

To the honorable the senate and house of representatives of the United States, in congress assembled:

The memorial of the subscribers, the manufacturers, dealers in, and consumers of paper, to wit, the paper makers, booksellers, publishers and printers of the city of Baltimore—respectfully sheweth;

That the paper manufacture of the United States produces an annual average value, as to the amount consumed, of about three million of dollars, of which the cost of the raw materials, and the labor employed thereupon, is estimated at two millions,—giving employment to about 5,000 persons, of whom only about 1,700 are believed to be males over 16 years of age, the rest being women and children.

When it is considered that, for want of this manufacture, the raw material, now of the value of one million of dollars per annum, would be wholly wasted or lost; and that so great a part of the moneys distributed for labor is immediately paid to women and children, who would otherwise, most probably, be unemployed, shewing the domestic circulation, a value—equal to three millions of dollars, by the labor of only 1,700 males above 16 years of age, it appears to your memorialists, to be an object of national importance, that the manufacture should be secured.

There is no doubt but the American paper manufacturer can meet the foreign manufacturer in our own market, on fair terms, as to quality and price, but it is not needful to detail to your honorable body, the effect of a small surplus in fixing the entire value of a commodity—make any article as a drug in the market, and its whole quantity depreciates in value; those who produce it are embarrassed, and no good is derived to any one except those who speculate in the article, and wait the demand to sell to advantage.

Hence, when an extra quantity of foreign paper is forced upon the domestic market, the paper maker ceases to pursue his business with his accustomed zeal—the stock becomes dissorted, and insufficient, and the consumers are put to much inconvenience and loss. The latter have proved by experience that a regular market is necessary to the right management of the extensive concerns of your memorialists, as several of them are actual consumers of from 4 to \$6000 of paper annually.

Believing, then, as your memorialists do, that whilst the importation of foreign paper cannot have a practical effect upon the average price of the domestic article, if the demand for it was steady, and sensible of the losses and inconveniences they have sustained, by the article being at times abundant, and beyond the demand, and at others scarce, and inadequate to the wants of the country, and being assured that the home-manufactured commodity, as to quantity and quality, is, or would immediately be quite equal to the demand; they respectfully beg leave to suggest that a duty per pound, sufficient to protect the American manufacturer, be laid on all paper imported into the United States.

The above memorial received the approbation of every editor, bookseller and publisher in the city.

CONGRESS.

IN THE SENATE.

Jan. 10. Several memorials and petitions were received, and variously disposed of.

The bill to continue, for a limited time, certain extra clerks in the offices of the third auditor and second comptroller, was taken up, amended, and ordered to a third reading—[and was, on the following day, read a third time and passed.]

Nothing of importance transacted. At an early hour the senate went into the consideration of executive business.

Jan. 11. The following resolution, submitted yesterday by Mr. Wilson, was taken up and agreed to:

Resolved, That the committee on military affairs be instructed to enquire into the expediency of allowing to officers of the army a specific sum monthly, in lieu of their present pay, rations, and emoluments.

The following resolution, submitted yesterday by Mr. Eaton, was also considered and agreed to:

Resolved, That the committee on the judiciary be instructed to enquire whether any amendments can be made in the criminal code of the United States, by which to punish persons guilty of forging papers or vouchers necessary to the establishment of any claims now or hereafter to be brought against the government of the United States.

The following written message was received from the president of the United States, by Mr. J. Monroe:

To the senate of the United States:

In compliance with a resolution of the senate of 20th of January, 1819, requesting me "to cause a report to be laid before them, at their next session, of such facts as may be within the means of the government to obtain, shewing how far it may be expedient, or not, to provide by law for clothing the army with articles manufactured in the U. States:" I transmit a report from the secretary of war, which, with the accompanying documents, comprehends all the information required by the senate in their resolution aforesaid. JAMES MONROE.

Washington, January 8th, 1820.

The message was read, and, with the documents, ordered to be printed.

The senate resumed, as in committee of the whole, the bill from the house of representatives, in addition to the act making appropriations for the navy for the year 1819. [Read the third time and passed, next day.]

Mr. Pleasants, chairman of the naval committee, explained the causes which produced this bill, and which made this appropriation necessary, and took a view of its details, to satisfy the senate of their propriety.

Mr. Johnson, of Kentucky, laid on the table a resolution proposing an enquiry into the expediency of making further provisions for the amelioration of the condition of the Indians, and for securing the peace of the frontiers.

Jan. 12. Mr. Smith, of S. C. from the committee on the judiciary, reported a bill to establish an uniform system of bankruptcy throughout the United States; which was read.

The senate took up and agreed to the resolution offered by Mr. Johnson, of Ky. on yesterday, respecting certain alterations in the system of Indian trade, the better to protect the frontier and ameliorate the condition of the Indians.

The senate then resumed the consideration of the joint resolution introduced by Mr. Dickerson, to

amend the constitution so as to produce an uniform mode of electing electors of president and vice president of the United States.

After some remarks from Mr. Barbour of Va. against the resolution, and from Messrs. Dickerson and Morril in favor of it, and some incidental observations by Mr. Dana, the further consideration of the subject was, on motion of Mr. Lowrie, postponed to Wednesday next.

The senate then went into the consideration of executive business; after which they adjourned.

January 13. After some minor business—

The senate then, according to the order of the day, took up, as in committee of the whole, the bill to provide for the admission of Maine into the union, with the amendment reported thereto by the committee of the senate. [This amendment embraces provisions for authorising the formation of a constitution of state government for Missouri, without restriction.]

Mr. Roberts moved to recommit the bill to the committee, with instructions so to modify their report, as to leave the bill, as it came from the house of representatives, a provision for the reception of the state of Maine only into the union.

This motion occupied the senate until the usual hour of adjournment, without any thing definite being done, when the senate adjourned.

HOUSE OF REPRESENTATIVES.

Friday, Jan. 7. On motion of Mr. Cooke, it was *Resolved*, That the secretary of war be directed to report to this house the sums of money which have been actually paid since the peace establishment, to the general officers and their staff, who are attached to the army of the United States, specifying particularly on what account, to whom, and when paid.

Mr. Butler, of N. H. moved the following resolution:

Resolved, That the committee on the public lands be instructed to enquire into the expediency of granting to each state a tract of land, not exceeding one hundred thousand acres, for the endowment of an university in each state.

The resolution was agreed to.

The speaker laid before the house a letter from the secretary of the navy, transmitting the annual report of the commissioners of the navy pension fund.

The speaker laid before the house another letter from the secretary of the navy, transmitting the information required by the resolution of the 31st ult. in relation to the introduction of slaves into the United States, and of the measures adopted to prevent the same.

Both these communications were ordered to lie on the table and be printed.

Several bills for relief were rejected.

The house resolved itself into a committee of the whole, Mr. Taylor in the chair, on the bill granting a township of public land to the asylum for the deaf and dumb in the city of New York.

Mr. Clay, (speaker) after stating his objections to the bill, moved, for the purpose of destroying it, to strike out the first section.

An earnest debate of considerable length followed, on the general merits of the bill and the expediency of the donation it proposed, in which Messrs. Clay, Randolph, Foot, Wayfield, Holmes, Barbour, and Rhea, opposed the bill; Messrs. Meigs and Gross, of New York, advocating it.

The question was finally taken on striking out the first section, and carried by a large majority.

The committee then rose and reported the bill as amended to the house; and, after an ineffectual motion by Mr. Maclay to lay it on the table—

The house, (after refusing the yeas and nays on the question) concurred in the amendment of the committee of the whole to strike out the first section, by which the bill is of course lost. And then Adjourned to Monday.

Monday, Jan. 10. The following message was received from the president of the United States, by the hands of Mr. J. J. Monroe:

To the house of representatives of the United States:

In compliance with a resolution of the house of representatives, of the 14th of December, 1819, requesting me "to cause to be laid before it any information I may possess respecting certain executions which have been inflicted on the army of the United States since the year 1813, contrary to the laws and regulations provided for the government of the same," I transmit a report from the secretary of war, containing a detailed account in relation to the object of the said resolution.

JAMES MONROE.

Washington, Jan. 8, 1820.

Accompanying the message was transmitted to the house the report from the war department referred to, and sundry documents; all of which were read and ordered to be printed.

Mr. Cannon, of Tennessee, offered for consideration the following resolution:

Resolved, That the committee on revolutionary pensions be instructed to enquire into the expediency of amending the law on the subject, so as to place soldiers and officers on an equality, by allowing to each an equal portion of the bounty of the government.

The house having agreed, by a bare majority, to consider the resolution—

[Mr. Cannon explained his object. *Compensation*, he admitted, ought to have reference to rank; but *bounty* he thought ought to be equally bestowed.]

The question on the adoption of the resolution was determined in the negative—74 to 70.

On motion of Mr. Hendricks, it was

Resolved, That the secretary of the treasury be instructed to lay before this house an annual statement of the number of acres of land sold at the several land offices, from their institution to the 30th September, 1819; of the monies accruing and the monies received from such sales; of the sums due the government and unpaid, and of the sales or forfeitures for non-payment—keeping separate that part of the statement which relates to the states of Ohio, Indiana, and Illinois, formerly the north-western territory.

On motion of Mr. Cannon—

Resolved, That the committee on military affairs be instructed to enquire into the expediency of reducing, or entirely stopping, the expenditures on military fortifications."

The subsequent proceedings, of no immediate importance, shall be noticed in their progress.

Tuesday, Jan. 11.—After some minor business—

Mr. Anderson, from the committee on the public lands, who were instructed "to enquire into the expediency of granting to each state a tract of land, not exceeding one hundred thousand acres, for the endowments of an university in each state," reported a resolution, "That it is inexpedient to grant any tract of land to a state for the purpose of endowing an university;" which report was read and ordered to lie on the table.

Mr. Anderson, from the same committee, made a

report on the petition of the general assembly of state of Illinois, for a donation of thirty-six sections of woodland for the support of the Saline on Shoal Creek, *adverse* to the prayer of the petition; which was also ordered to lie on the table.

Mr. Simkins submitted the following resolution:

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of amending the act of congress concerning the faith and credit to be given to the records and judicial proceedings of the courts of any state, authenticated and produced in evidence in any other court within the U. States, and the effect thereof.

The house then, on motion of Mr. Taylor, went into committee of the whole, Mr. Livermore in the chair, on the report of the committee of elections on the memorial of Robert C. Mallary, contesting the election of Orasmus C. Merrill, of Vermont.

The report (which is *adverse* to Mr. Merrill, the sitting member,) having been read by the clerk—

The house adjourned.

Wednesday, Jan. 12. Mr. Smith of Md. from the committee of ways and means, in pursuance of, and in conformity to the resolutions of Mr. Lowndes, referred to the committee on the 29th ult. reported a bill in addition to the several acts for the establishment and regulation of the treasury, war and navy departments. Mr. S. also, from the same committee, reported a bill extending the time allowed for the redemption of land sold for direct taxes; which bills were severally twice read and committed.

Mr Taylor, from the committee of elections, made a report on the petition of James Guyon, jun. contesting the election of Ebenezer Sage, a member returned as elected from the state of New-York, declaring that Mr. Guyon is entitled to a seat, and that Mr. Sage is not. The report was read and committed.

Mr. Cannon, from the committee on the militia, to whom was referred an enquiry into the expediency of clothing the militia at the public expense, when called into the service of the United States, or of allowing them an equivalent in money, made a report on the subject, accompanied by a bill providing for that object—which was twice read and committed.

The speaker laid before the house a letter from the secretary of war, transmitting a copy of the rules and regulations of the commissioner, adopted in relation to the execution of the act of April, 1816, to pay for property lost in the military service—rendered in obedience to a resolution of the 23d ult. The report was read and ordered to lie on the table.

The house next proceeded, according to the order of the day, again to resolve itself into a committee of the whole (Mr. Livermore in the chair,) on the report of the committee of elections on the contested election of Mr. Merrill, of Vt.

The committee rose and reported their concurrence in the resolutions of the committee of elections.

The question was then taken on the resolution declaring that Mr. Merrill is not entitled to a seat in this house, and decided in the affirmative by a large majority.

Before taking the question on the other resolution of the report, which declares Mr. Mallary entitled to the seat, a motion was made to adjourn, and The house adjourned.

Thursday, Jan. 12. After variously disposing several private petitions, and reports thereon—

On motion of Mr. Whitman, it was

Resolved, That a committee be appointed to enquire into the expediency of reviving and conti-

ning in force, for a limited time, so much of an act, the provisions of which partially expired on the first day of November last, entitled "An act regulating the currency within the United States of the gold coins of Great Britain, France, Portugal and Spain, and the crowns of France and five-franc pieces," as relates to the gold coins of those countries.

After some other business, of no immediate importance—

The house, according to the order of the day, resumed the consideration of the remainder of the report of the committee of elections, on the contested election of Mr. *Merrill*, of Vt. The house having yesterday agreed to the first resolution, declaring Mr. *Merrill* not entitled to a seat—the question now under consideration was, on agreeing to the second resolution of the report, which declares that "*Rollin C. Mallary is entitled to a seat in this house.*"

An earnest debate followed on this resolution which continued till near 4 o'clock.

The question was finally decided in the affirmative, by yeas and nays, as follows:

For the resolution	116
Against it	47

So it was decided that *Rollin C. Mallary* is entitled to a seat in this house; and Mr. *M.* came forward, was qualified, and took his seat accordingly.

The speaker laid before the house a letter from the secretary of the treasury, transmitting such information as the government possess in relation to the illicit introduction of slaves, in obedience to a resolution of the 31st ult.

CHRONICLE.

Died at Salem, Mass. suddenly, on the 29th ult. the Rev. *William Bentley*, D. D. in the 61st year of his age, minister at the east meeting house, and the gentlemen to whom, for a great many years, the public was indebted for the unparalleled summaries and notices of events, with historical and critical notes, which so distinguished the "*Salem*," or as it is now called, the "*Essex Register*." The whole town seems to have been in mourning on his account. He was universally respected as a pious and good man, and a sound patriot.

—at Savannah, on the 29th ult. of a paralytic stroke, the rev. Dr. *Henry Kollock*, whose decease is said "to have spread the veil of mourning over the city." The mayor, by proclamation, requested that all business might be suspended on the day appointed for his interment, in testimony of respect for his exalted character.

Joseph Bonaparte's elegant mansion, near Borden-town, N. J. was consumed by fire on the 4th inst. It originated in the fourth story, so that, though the house was totally destroyed, the rich furniture, and especially the paintings, the latter valued at 150,000 dollars, were saved.

Baltimore.—The mayor, in his annual communication to the city councils, renders merited praise to the medical gentlemen, and others who assisted to relieve the distresses occasioned by the late prevailing disease in a part of our city—but says not a word of his own personal services, in visiting the infected district, hospital, &c. that he might know how things were going on, though he was daily employed in some work of humanity.

Maryland.—The following resolves have been adopted in the legislature:

"Resolved by the general assembly of Maryland, That our senators and representatives in congress

be requested to use their utmost endeavors, in the admission of new states into the union, to grant to such states all the rights and privileges of the states heretofore admitted, without requiring, as a condition of their admission, the inhibition of involuntary servitude, or any other condition limiting their sovereign powers in a greater degree than the sovereign power of the original states forming the union are limited and restrained.

"Resolved, That the governor be requested to transmit copies of the foregoing resolution to each of our senators and representatives in congress.

The vote thereon, in the house of delegates, was sixty to nine.

New York. The legislature of this state met on the 4th inst. John C. Spencer, esq. was chosen speaker of the assembly—for Mr. Spencer 64; Mr. Peter Sharpe 50; scattering 7. Gov. Clinton's speech is also received, but we must put it on file among the articles intended to record, at leisure—such is the condition of many others—but the whole shall be preserved.

North Carolina.—In the journal of the proceedings of the legislature of North-Carolina, now sitting, is the following:

"Mr. Jeffreys presented a bill to prevent persons teaching slaves to read and write—the use of figures excepted. Read the first time and sent to the senate."

Tennessee.—The law of Tennessee, for the relief of debtors, forbids the issuing of executions on judgment, for two years, unless the plaintiff will receive in payment, notes of the state bank and branches, and the Nashville bank and branches. The branches of these banks are excluded from this privilege of time; suits can be brought against them by the holders of their notes, and executions may issue immediately against the presidents and cashiers.

Boston, Jan. 5. The friends of our navy were yesterday gratified with a view of the best bower cable of the U. S. ship *Columbus*, borne through the streets on the shoulders of three hundred men, (preceded by music playing *Yankee doodle*,) from the patent cordage manufactory of Joseph N. Howe, esq. to the hold of the packet schooner *Midas*, bound to the Potomac. It weighs upwards of seven tons, is 120 fathoms in length, 24 inches in circumference, and was laid up in 25 minutes. We understand that this cable has the strength of a 30 inch cable manufactured without the use of the patent machinery.—*Pat.*

New York. By a census lately taken, it appears that the population of the city of New York is 119,657. In 1731, when a census was taken by order of Rep. Vandam, then president of the province of New York, the population was 8,622. The increase in 90 years, is nearly twelve-fold.

Internal revenues. The National Intelligencer says—We understand that the collection of the internal revenues being so far completed as to justify the discontinuance of the office of commissioner of the revenue, the president of the United States has determined, in compliance with law, that it be discontinued, and its remaining duties have been transferred to the office of the fifth auditor of the treasury.

Military movements. A Savannah paper says—We have seen a letter from an officer in command at Trader's Hill, near St. Mary's, who states, that orders have been received from head-quarters, for all the United States troops in that quarter to proceed, forthwith, to fort Scott. This movement, we presume, is intended to be in readiness to occupy

Pensacola, so soon as congress give the word.—There are, we understand, between seven and eight hundred men at Trader's Hill.

Clothing for the Marines.—Proposals are issued for furnishing 1000 coats, 2000 pair of pantaloons, 4000 shirts, 4000 pair of shoes, 2000 socks, 1000 gaiters, 1000 fatigue jackets, and 1000 do:rtrowers, for the marine corps of the United States. A decided preference will be given to American manufactured cloths, in every instance in which they can be furnished as advantageously as the imported.

Pirates.—In consequence of the late condemnation of certain pirates at New-Orleans, so many threats have been thrown out as to induce the governor to order the volunteer companies to patrol the streets by night. We hope that, since the work has been begun, the friends of the laws will persevere, and sweep away the gangs of wretches, who have so long rendered life and property insecure in this section of our country.

Original enterprise.—A merchant at Boston has the exclusive privilege of supplying certain West India islands with ice: but his stock falling short, he sent a brig to the coast of Labrador in *August last!* After fastening to several ice-islands, and encountering many perils, he got a full cargo, and sailed for Martinique. The brig was in one instance lifted six feet by the rolling of an ice-island! The enterprise was successful, and the brig has returned to Boston.

Sugar and molasses from grain.—The discovery, patented to James Wiseheart, for manufacturing sugar and molasses from grain, has been already noticed in the Register. Exertions are making in the western country to introduce the practice, and, from the representations made, we apprehend that it must be very beneficial in all parts of our country distant from a market—for it is said, that one bushel of good wheat, rye, or corn, will yield from $3\frac{1}{2}$ to 4 gallons of molasses, or about 15 pound of sugar. The proceeds have not quite the same flavor, as if produced from the cane; but it appears to answer all the general purposes of the other, and custom might soon reconcile persons using them to the difference of taste.

Bank of the United States. The present board of directors is as follows—

Appointed by the president and senate—Langdon Cheves, Manuel Eyre, Nicholas Biddle, John McKim, jun. (of Baltimore,) Charles E. Dudley (of New York.)

Recently elected by the stockholders—Pierce Butler, Richard Rundle, John Sergeant, Joshua Lippincott, Gustavus Colhoun, James Schott, Thomas M. Willing, Horace Binney, Thomas Astley, Samuel Wetherill, Hartman Kuhn, Silas E. Weir, John Potter, (South Carolina,) John Oliver, (Maryland,) John Donnell, (do.) George Hoffman, (do.) Archibald Gracie, (New York,) Curtis Bolton, (do.) Nathaniel Silsbee, (Massachusetts,) James Lloyd, (do.)

Changes. It would appear to us that more than a half of those who lately were directors in the offices of the bank of the United States—have been permitted, by the present board, to retire to private life; and some of the officers seem to have been dismissed with the ceremony used by Turkish bashaws, in like cases. All must bow—knock their foreheads on the ground nine times, if they would retain their situations.

Georgia. A letter from Milledgeville, to the editor of the Savannah Republican, says—"The committee [of the house of representatives] appointed to make a report relative to the expediency or inexpediency of taxing the branch bank of the United

States in Savannah, in the same ratio as the other banks within the state, have recommended, that the banks be taxed as heretofore; but directs the treasurer not to prosecute the collection of the tax, until the meeting of the next legislature. By that time the Ohio question will be settled; and then the constituted authorities of Georgia will know what course to pursue."

Swindling. A gentleman of great respectability in Kentucky, speaking of the demoralizing effects of the banking system, says—"our independent banks are nearly all stopped and we hope that not one of them will be left standing in six months hence. The ——— bank sent out a kind agent with \$30,000 of its paper to exchange for Tennessee or any other current paper, and a day or two after closed its doors. The agent had passed off most of the paper, and the last account of him was, that those he had swindled were in pursuit of him, determined to intercept him and take the law in their own hands, breathing vengeance for the trick played upon them. Yet the directors who sent out this agent are called honorable men. Verily, verily, Mr. Niles, you have oftentimes told us that corporations have no soul."

New York banks. The comptroller has given notice that the notes of the several incorporated banks of this state, except the bank of Niagara, the Jefferson county bank, the Ontario bank, and its branches, the Washington & Warren bank, and the bank of Hudson, will be received at the treasury in payment of taxes.

The bank of Chillicothe is the place of deposit of the monies of the United States, received at the land offices at Zanesville, Marietta, Cincinnati and Chillicothe. This respectable institution well merits such distinction—it was among the last to refuse and the first to resume specie payments, and since the general resumption of such payments has always honored its notes. And a paper of that town says—"We are authorised to assure the community, that the bank of Chillicothe has made a permanent arrangement in Philadelphia, by which its bills will, in future, be taken at the Farmers and Mechanics bank of that city, at or above the discount equal to the premium which eastern funds command in our western market.

"City improvements." From the Cincinnati Inquirer—"We should here do injustice were we not particularly to notice the new banking house erected for the accommodation of the Cincinnati bank. The edifice is most agreeably situated on the brow of the second bank; and, as respects the town, its situation is very central. The front of the building is constructed of fine free stone, hewn and prepared by Mr. Alvin Washburn. The architecture is of the *Toric orders*, and, as far as we can learn, good judges have pronounced the style very chaste, as it certainly is very beautiful. The banking room is quite commodious, and finished with great neatness; and without compliment we feel warranted in saying it is an honorable evidence of the *spirit and liberal views* of the directors, and highly creditable to the architect, Mr. Tilton—an ingenious and respectable man, since deceased."

☞ There is so much accomplished impudence in some of our bankrupt banks and bankrupts, that, though smarting under the lash, we cannot refrain from laughing at their proceedings—their palaces, like "painted sepulchres," are the depositories of corruption. But the time was, when the now miserable things who inhabit them, like the mad-man who clambered to one of the highest peaks of the

Highlands of the Hudson, seemed to cry out, "Attention the universe—by kingdoms, to the right wheel, march!"

It would have been much more "creditable" to the directors of the Cincinnati bank, if they had shewn their "spirit and liberal views," by keeping their bank in a cellar and honestly paying their debts there, than by building this house for it, out of money not their own. It was only yesterday that I sold a few of their rags (which I had had on hand a considerable time, in the hope that a returning sense of honor would relieve me of them at no great loss) for fifty cents in the dollar—and hereafter, I will not receive them, except on account of runaway subscribers, if any such it shall be my misfortune to have.

Ohio bank notes. The citizens of Detroit have had a public meeting, and on the report of a committee fixed the following as the rates at which the bills of the Ohio banks should be received:

The bank of Chillicothe, New Lancaster, Marietta, St. Clairsville, Steubenville [Farmer's and Mechanic's] and Western Reserve, at par, the said banks paying specie.

The Marine exporting company, the Lebanon Miami banking do. Dayton Manufacturing, do. Zanesville canal, &c. do. bank of Urbana, Columbus, Canton, Hamilton, West Union, and Commercial of Lake Erie, at twenty per cent discount.

State bank of North Carolina.—A general meeting of the stockholders of this institution commenced on Monday, the 8th ult. and adjourned on the Wednesday following. A curtailment of the debts due the bank, and a reduction of the number of clerks and the amount of salaries was resolved on, to diminish expenses.—The following is a statement of the condition of the bank on the 9th November last:

Due the bank on notes dis.	\$3,398,471	
Specie on hand,	504,517	
Foreign notes and bills of exch.	171,757	
Due from foreign banks	152,801	
		4,227,540
Real est. in bank houses and lots,	102,757	
Paper currency,	85,093	
		187,850
		4,415,396
Due for notes in circulation,	2,555,184	
Due on deposits	263,285	
Due to foreign banks	63,247	
		2,882,716
Capital subscribed,	1,600,000	
[Loss by old stock due		
by the state,	83,936	
By new stock due by		
individuals	130,557	
		214,263]
Leaving capital actually paid		
in,	1,385,737	
Profits	146,943	
		1,532,680
		4,415,396
Bank, credit	4,415,396	
debt,	4,268,453	
Balance in its favor,		\$146,943

Maryland legislature. A bill has been introduced for the punishment of frauds against banks, by the officers or directors thereof. Also a bill supplementary to the act for the recovery of debts due by banks. The following resolution was offered on the 20th ult.—*Resolved*, by the general assembly of Maryland, that our senators and representatives in Congress, be requested to use their utmost endea-

vors, in the admission of new states into the union to grant to such states all the rights and privileges of the states heretofore admitted.

APPOINTMENTS

By the president, by and with the advice and consent of the senate.

The president, by and with the advice and consent of the senate, has re-appointed the following persons who were commissioned during the recess of the senate:

Edward Coles, of Illinois, to be register of the land office at Edwardsville, in the state of Illinois.

Charles S. Cosby, of Louisiana, to be register of the land office at St. Helena.

Fulwar Skipwith, of Louisiana, to be receiver of public monies for lands of the United States, at St. Helena.

Warren Brown, of Illinois, to be receiver of public monies for lands of the United States, at Kaskaskia.

Thomas Carberry and **Ezekiel McDaniel**, of the district of Columbia, to be justices of peace in and for the county of Washington, in said district.

Richard W. H. Habersham, of Georgia, to be attorney of the United States for the Georgia district.

Jonathan Kearsly, of Pennsylvania, to be receiver of public monies for lands of the United States, at Detroit.

Robert Tillotson, of New York, to be attorney of the United States, in and for the southern district of New York.

Daniel Schnebly, of Maryland to be collector of direct taxes and internal duties for the 8th collection district of Maryland.

Eleazar Burnham, of New York, to be collector of direct taxes and internal duties for the 23d collection district of New York.

Robert Batte, of Virginia, to be collector of direct taxes and internal duties for the 14th collection district of Virginia.

Theophilus T. Ware, of Pennsylvania, to be collector of direct taxes and internal duties for the 10th collection district of Pennsylvania.

George M. Bibb, of Kentucky, to be attorney of the U. States for the Kentucky district.

James R. Pringle, of South Carolina, to be collector of the customs for the district of Charleston.

Benjamin Reeder, of Virginia, to be marshal of the district west of the Alleghany mountain, in that state.

Henry C. Neale, of the district of Columbia, to be register of wills for the county of Washington, in said district.

Richard Bland Lee, of the District of Columbia, to be judge of the orphan's court for the county of Washington, in said district.

Thompson Mason, of Virginia, to be collector of the customs for the district of Alexandria.

William Hewitt, of the District of Columbia, to be collector of internal duties for the District of Columbia.

Robert Purdy, of Tennessee, to be marshal in and for the district of West Tennessee.

John Condit, of New Jersey, to be assistant collector for the district of New-York, for the city and port of Jersey.

Theodorick Bland, of Maryland, to be judge of the United States, in and for the Maryland district.

Roger Skinner, of New York, to be judge of the United States in and for the northern district of New York.

Jacob Sutherland, of New York, to be attorney of the United States, in and for the northern district of New York.

NILES' WEEKLY REGISTER.

NEW SERIES, No. 21—VOL. V.] BALTIMORE, JAN'Y 22, 1820. [No. 21—VOL. XVII. WHOLE No. 437

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

A supplement of eight pages is given to the present number. It is intended to publish another next week.

No arrival from Europe with news since our last general notice of events in that quarter. A passenger in a vessel, arrived at Norfolk from Rio Janeiro, states, that on the 28th of Nov. a *Russian* squadron of five sail had just anchored—and he learnt that a *British* squadron of four sail of the line, under sir Thomas Hardy, was also in port. If this statement is true—we may well ask, what is designed to be done?

AGRICULTURE VS. MANUFACTURES. In the supplement annexed, we have inserted the memorial of an agricultural society against the protection of domestic manufactures, and we have another memorial from another society also in Virginia, on the same subject. We shall notice these articles hereafter. If manufactures are to be protected at the cost of agriculture, we say—let them remain unprotected. Our best affections are with the tillers of the soil. But believing it advantageous to *all* the agriculturists in the United States, except perhaps, the growers of one solitary article, tobacco, that manufactures should be encouraged, we must dissent from the opinions of those gentlemen of Virginia, and shall feel it our duty, as on every former occasion, to maintain such measures as we apprehend are best calculated to forward the general prosperity.

SALES AT AUCTION. The belief seems to be pretty general, that by sales at auction, the business of regular traders and manufacturers is severely interfered with. Steadiness in any calling, is certainly the best guarantee of its success, and the sacrifices made by foreigners in our market, by sales at auction, seem to benefit only speculators and overgrown capitalists—though, by setting an apparent value on commodities in the market, they affect the whole stock of such articles on hand.

It is probable that congress, for the joint purpose of assisting the revenue and supporting domestic industry, will lay a considerable tax on sales at auction. We hope, also, that a distinction may be made between such sales, if made on account of citizens or foreigners, by authorizing and requiring the auctioneers to test the owners of goods offered to them for sale, under suitable penalties to prevent fraud.

PAYMENT OF DUTIES. The proposition offered by Mr. Trimble, in the house of representatives, for the payment of duties in cash, rapidly gains ground in public opinion—especially so, when it is considered that provision will be made for the storage of goods for such time as will relieve the importer, if he has not an immediate demand for them. This, we believe, is almost universally the custom in other countries; and, though we have read several memorials, &c against it, we see no reason why the practice should not be adopted here. The matter can be so regulated, that the change from the present system of bonding to that of prompt payment, may be gradually brought about, say in the space of two years—and then, the merchants will have to deal

on their own capital instead of that of the United States—whereby the government will be secured against loss, and the public generally, be saved from the effects of many bankruptcies, caused by extensive credits, founded on the appearance of wealth. It seems to us indubitable, that the common welfare of society will be promoted by the projected change. It will be somewhat hard at first, but we shall easily become reconciled to it; and excessive importations will be checked, without perhaps, much, if any, diminution of the revenue actually received. We believe there are many instances in which, though the money for goods sold in the United States was sent out of the country, the duties on such goods were not paid to the U. States. We have been much speculated upon by foreigners.

"FORMS OF GOVERNMENT." A correspondent in New Jersey, noticing our remarks on the steadiness of the people to preserve their forms of government, in the *Register* of the 25th ult. observes that, although our conclusions are correct, they do not apply to the late projected change of the constitution of New Jersey, as proposed by its legislature. The objection to the intended amendments was not because the principle of it was disliked, but on account of its incongruity with the remaining parts of the constitution. It is intimated, that if a convention was proposed to revise the constitution generally, the people would be in favor of it, because that it is, in several respects, defective.

United States' bank vs. the state of Ohio. At the present session of the circuit court of the U. States, held at Chillicothe, judge Todd presiding, Mr. Hammond moved for a rule on the plaintiffs, to shew cause why Harper and Orr (the persons who collected the tax levied on the bank of the U. S. by the state of Ohio) should not be discharged—the motion was founded on affidavits shewing that the person who arrested them had no legal authority, being authorised only by a *nota bene* to a letter from the marshal. That the arrest was made on the 18th of October, and the defendants imprisoned until the 22nd, the marshal being in the meantime sent for, who made and returned the arrest as of the 22nd, and under that arrest detained the persons in custody.

The rule was argued on the 6th inst. by Messrs. Bond, Scott, and Greer for the plaintiffs, and Messrs Hammond and Doddridge for the defendants.

The facts stated in the affidavits were not denied: but the subsequent arrest of the marshal returned by him was urged as conclusive, and the power to appoint a special bailiff was also strongly urged for the plaintiffs, especially by Mr. Greer, who is a young man of promise, and acquitted himself very handsomely in the argument.

On the other side, however, it was most conclusively shewn from authority, that if a defendant was in the first place illegally arrested under color of process, he could never be legally arrested upon the same process until discharged from the illegal arrest. The power of appointing a special bailiff was denied to be given by act of congress, and it was maintained that the power of the mar-

sinal to appoint under officers, depended upon acts of congress, and not upon common law principles. The court took time to consider until the 8th inst. when they delivered an opinion substantially in accordance with the points taken by the defendants' council: the rule was made absolute, and the defendants discharged. It is supposed that actions for false imprisonment will be brought against the bank and the counsel—No blame is attached either to the marshal or the person making the arrest; it is considered that both acted under the direction of others in whose legal advice they confided.

☞ The following opinions of judge Marshall are supposed to have great weight in settling the matter now at issue between the bank of the United States and the state of Ohio.

Extract of a speech of JOHN MARSHALL, (now chief justice of the United States) in the Virginia convention, on the powers of the federal court:—p. 394, 2nd edition.

With respect to disputes between a state and the citizens of another state, its jurisdiction has been denied with unusual vehemence. I hope no gentleman will think that a state will be called at the bar of the federal court. Are there are not many cases in which the legislature of Virginia is a party, and yet the state is not sued? It is not rational to suppose that the sovereign power shall be dragged before a court. The *intent* is to enable states to recover claims of individuals residing in other states. I contend this construction is warranted by the words. But, say they, there will be partiality in it, if a state cannot be made defendant, if an individual cannot proceed to obtain judgment against a state though he may be sued by a state. It is *necessary* to be so, and cannot be avoided. I see a difficulty in making a state defendant which does not prevent its being plaintiff. If this be only what cannot be avoided, why object to the system on that account? If an individual has a just claim against any particular state, is it to be presumed that on application to its legislature he will not obtain satisfaction? But how could a state receive any claim from a citizen of another state, without the establishment of these tribunals?

Statistical Articles.

BANK NOTES. Prices current at Baltimore—Jan. 17, 1819.

Bank of the U. S. and its branches, par.

New Hampshire, 2, dis. Massachusetts, Boston par; county notes 2 to 4 dis. Rhode Island, generally, 2 dis. Connecticut, from 1 to 2; Vermont, 2 to 3; New York, city par; country notes various, chiefly at 1 or 2 per cent. a few at 3; except Jacob Barker's, of the bank of Hudson, Washington and Warren, Niagara, Catskill Aqueduct, Jefferson county, and of several unincorporated banks, all of which are very bad—Barker's at 80 per cent dis. New Jersey, generally, from 1 to 2, dis. Pennsylvania, Philadelphia, par. good country notes 1 to 2½; non specie paying banks from 1½ to 50 dis. Delaware, generally, par to 1 dis. Commercial bank 6; bank at Laurel 45. Maryland—all of the Baltimore banks, except the City bank, par; City bank 5 to 6 dis. All the rest of the banks in this state at a moderate discount, except of Caroline, Somerset, Somerset and Worcester, Elkton and Port Deposit the first at about 5, the rest at from 50 to almost 100 discount! District of Columbia, generally, 1 dis. Mechanics' bank of Alexandria 1½; Franklin, do. 3½; Virginia, old banks 1—bank of the Valley

and its offices, 1 to 2 dis. North Carolina, generally, 6 dis. South Carolina, do. 1 to 1½; Georgia, generally 2½ to 3; Augusta Bridge co. 30. Kentucky, old bank, 15—new banks, no sales. Tennessee, old bank of Tennessee 15; other banks no sales. Ohio, old bank of Chillicothe 5; other specie paying banks 10; the rest various, from 15 to 50—see page 335, last number of the REGISTER. Indiana, Illinois and Missouri, few in the market and no sales—the best would probably be at 12½ dis.

The banks, generally, which are rated at from 1 to 3 per cent. discount, pay specie—so also do some of the western banks at a much heavier discount. But the preceding are the broker's rates, or, as they call it, the "course of exchange."

The bills of the bank of Montreal circulate extensively in the northern parts of New York—they are at from 2 to 3 per cent. dis. at Baltimore.

FINANCE. State of crimes—official.

	1817.	1818.
Individuals tried before the courts		
of assizes,	14,146	9,722
Condemned,	9,431	6,712
Acquitted,	4,715	3,010
<i>Of these were—</i>		
Crimes against the state,	438	166
persons,	1,638	1,262
property,	7,086	5,547
Sentenced to death,	553	324
to compulsory labor for life	511	393
to deportation	52	6
to compulsory labor for different terms	2,645	1,992
to compulsory labor and to be branded	173	184
to solitary confinement	2,774	2,116
to the pillory	4	1
to banishment	12	2
to civil degradation	2	5
to imprisonment and fine	2,629	1,619

The diminution in the present year is stated to be still more considerable.

METEOROLOGICAL. From the *Boston Daily Advertiser*.—We give below a comparative statement of the mean temperature of the several months of the two last years, according to the observations made three times a day, which have been published weekly in this paper—and the quantity of rain which has fallen during the same time:

	1818.		1819.	
	M'N TEM. degrees.	RAIN. inches.	M'N TEM. degrees.	RAIN. inches.
January,	25	2.64	30	1.05
February,	18	3.49	31	2.27
March,	34	3.05	29	6.21
April,	41	6.15	41	3.74
May,	57	5.96	52	3.06
June,	74	1.07	67	3.56
July,	72	4.08	71	2.92
August,	66	0.46	69	4.38
September	55	7.81	64	5.27
October,	50	2.11	53	1.40
November		1.91	40	1.22
December,	26	0.51	31	1.29
Total,	17	38.24	48	35.47

[The editor of the REGISTER has received the usual Pluviometrical table furnished by his friend, for the past year, which shall be speedily recorded.]

Public libraries of Germany.—The royal library of Munich contains a collection of 400,000 volumes. That of Gottingen, which is one of the most celebrated in Germany, contains 280,000 volumes, 110,000 academic dissertations, and 5000 manu-

scripts; the Dresden library contains 250,000 printed books, 100,000 dissertations, and 4000 manuscripts. The library of Wolfenbuttel is particularly celebrated for its valuable collection of ancient works: it contains 190,000 printed volumes, 10,000 dissertations, and 4000 manuscripts.—Among the 182,000 volumes which compose the library of Stuttgard, there are 12,000 different editions of the bible. There are seven public libraries in Berlin; the two principal ones are the royal library and the library of the academy; the former contains 160,000 volumes, and the latter 30,000. It may be calculated that the total number of books contained in the public libraries of the German states, amount to upwards of *four millions*, besides the various memoirs, pamphlets, periodical publications, dissertations, and manuscripts.—*Eng. paper.*

New York. According to the last census, taken by order of the mayor and common council, the city and county of New York contain—

1819—White males, - - -	53,343
White females, - - -	56,391
Black males, - - -	109,734
Black females, - - -	6,939
	5,984
	9,923

Total 119,657

1731—Census taken by order of Rip Vandom, esq. president of the province of New York, Henry Beakman, esq. sheriff.

White males, - - -	3,771
White females, - - -	3,274
	7,045
Black males, - - -	785
Black females, - - -	793
	1,577

Total, 8,622

From this it appears the following is the increase of population in 88 years.

Whites, in 1819, - - -	109,734
Whites, in 1731, - - -	7,045
Increase, - - -	102,689
Blacks in 1819, - - -	9,923
Blacks in 1731, - - -	1,577
Increase, - - -	8,346
Blacks in 1819, - - -	9,923
Total, blacks and whites in 1731, - - -	8,622
Increase, - - -	1,301

So that this year, 1819, the blacks overbalance the number of blacks and whites together in 1731—88 years ago, by 1,301.

Annual census of the humane and criminal institutions in the city and county of New York—January 1, 1820.

In the orphan asylum 88 boys, 47 girls - -	133
—Alms house, including 27 maniacs - - -	1,896
—City hospital—patients 195, lunatics 64 - -	259
—Debtor's prison - - - - -	423
—Bridewell - - - - -	99
—Penitentiary - - - - -	358
—State prison - - - - -	599

3,767
Last year 3,302

Increase 465.

PENNSYLVANIA. Abstract of receipts and expenditures for 1819:

Balance in the treasury, Dec. 1, 1818, 92,019 81	
Product of loans, 180,000; dividends on stocks, 161,860; auction duties 64,332 46; lands, 38,104 56; tax on banks, 37,832; tavern licences, 30,899 87; tax on offices, 8,932 32—sundries, 17,843 71,	539,825 72
	631,845 53

For improvements 278,563 47; expenses of government, 194,618 66; militia, 26,334 37; Pittsburg penitentiary, 25,471 69; state capitol 24,380 11; pensions 19,536 85; sundries, 23,348 98,	592,254 13
Balance in treasury, Nov. 30, 1819,	59,591 40
	631,845 53

The state owes the bank of Pennsylvania 180,000, and the bank of Philadelphia, 100,000—together 280,000 dollars, of which 100,000 is at 5 per cent. interest.

MARYLAND The present state of the finances is given in the report of the committee of ways and means, of which the following is an abstract:

That appropriations to the 1st December, 1819, and then unpaid amounted to \$39,352 97
And the journal of accounts for the present session is estimated at 35,000 00

Together making 74,852 97

To which add the probable demand on the treasury, as estimated to the 1st December, 1820,	106,817 17
	241,665 14

To which add the journal of accounts for the session of 1820,

35,000 00

276,665 14

From which deduct the balance in the treasury on the 1st December 1819,	22,857 19
	253,807 95

From which also deduct the probable amount of receipts as estimated to December, 1820,

122,398 19

131,409 76

Also the amount received from the United States on the 4th December 1819, 100,000 00

Deficit to be provided for agreeably to the aforesaid estimate, 31,409 76

The amount of the claims of the state against the United States, for services and expenditures during the late war, was as follows:

For pay rolls	\$155,338
Supplies	126,116
Drafted militia	5,839

Whole amount 287,363

Of which 180,000 dollars have been received—and the balance of 107,363 dollars was expected. If received in the current year, there will remain a balance in the hands of the treasurer, after discharging the estimated expenditures, of about 70,000 dollars.

The report of the committee concludes with the following resolution;

Resolved by the general assembly of Maryland, That the treasurer of the Western shore be, and he is hereby authorised to pay the whole principal and interest of the bank loans of 1817 and 1818,

reimbursable in 1820, in the event of the treasury receiving from the general government on the balance of the state's claim, the sum of 31,400 dolls. during the current year; otherwise, to discharge one half of the principal and interest of said loans to such of the several banks to whom the same is due, as the governor and council shall direct.

The capital of the state has been several times detailed—it is of a large amount, and consists of U. States stocks, and bank and other stocks; the latter not so productive at present as heretofore.

BALTIMORE—*Bills of mortality for 1819*—from the records of the board of health:

MONTHS.	MALES.....	FEMALES..	TOTAL.....	OF WHOM COLORED.
January : : : :	77	47	124	40
February : : : :	60	56	116	27
March : : : :	81	62	143	44
April : : : :	97	72	149	51
May : : : :	68	67	155	44
June : : : :	74	47	121	34
July : : : :	126	112	238	73
August : : : :	196	120	316	71
September : : : :	272	202	474	59
October : : : :	138	105	243	67
November : : : :	54	50	104	29
December : : : :	60	44	104	32
Total.	1303	984	2287	571

OF WHOM WERE

Of the age 1 year and under	516
Between the age of 1 and 2 years	252
From 2 to 5 years	129
5 to 10	147
10 to 20	291
20 to 30	357
30 to 40	191
40 to 50	117
50 to 60	71
60 to 70	39
From 70 to 80	35
80 to 90	27
90 to 100	9
over 100	1
Still born	105
Total,	2287

Of these—350 died of the malignant fever, 73 of bilious, and 84 of typhus; 272 of consumption; 258 of cholera morbus; 116 of measles; 105 still-born; 88 of decay; 89 of convulsions; 77 of old age; 76 of whooping cough; 59 of worms; 46 of intemperance; 41 of inflammations; 41 of dropsy; 27 of do. in the head; 57 of croup; drowned and sudden deaths, 55, &c. &c.

SALER. MASS.—*Bills of mortality for the year 1819.* Whole number of deaths 195—101 males and 94 females. Highest number of deaths in September, 26; lowest in February 7. Under 10 years of age, 60; above 60—54; of whom 15 were from 80 to 100.

Diseases—consumption 50! Fevers, various 32; dropsy 19; intemperance 16; dysentery 15; old age 12, &c. &c.

The population is supposed to be about 13,500.

Army of the United States. The return of the strength of the army gives, including the engineer department, ordnance department, and excluding cadets, the following aggregates:

Total of commissioned officers	627
Non-commissioned officers and privates	7,557

Grand total 8,184

The distribution of these forces, as minutely reported by the adjutant and inspector general, we have not room, nor does it seem important, to publish. The strength of the northern division is stated at 4,922, of the southern at 3,036—by posts.

KENTUCKY. Abstract of the auditor's report on the state of the finances—

Received at the treasury during the year ending Nov. 10th, 1819,	\$181,248 10
Paid at the treasury during the same period	163,904 82

Excess of receipts over expenditures,	17,543 82
Add the balance in the treasury, November 10th, 1818,	36,640 70

Which makes the balance in the treasury, November 10th, 1819,	53,984 52
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There was due to the government on that day,	44,704 15
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There was due from the government on that day, including 49,182 30 due the internal navigation fund, not appropriated,	62,399 73
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Probable expenditures of the present year,	109,460 00
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Probable receipts, including the amount by law devoted to internal navigation, and the amount in the treasury on the 10th November last,	186,630 00
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The general account of the penitentiary establishment stands thus—

Credits	69,417 93
Debits	36,311 85

Balance in favor of the institution	33,106 13
-------------------------------------	-----------

The amount which the penitentiary has received from the treasury more than it has paid in during the last year, was \$1,684.

OHIO. Abstract of the Auditor's report on the state of the finances:

Total amount paid into the treasury in 1819, including a balance of 11,183 23 remaining in the treasury, Dec. 7, 1818,	\$112,621 56
From which deduct various sums paid,	83,543 78

Balance in the hands of the treasurer	29,077 78
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The aggregate amount of taxes levied upon lands was \$179,475 62½—from which deduct 61,235, set apart for the improvement of roads, 16,329 for county purposes, with salaries, fees, defalcations, amount paid for wolf scalps, &c. there would be left at the disposal of the legislature the sum only of 65,117 81 dollars. But other resources made the probable amount that might be appropriated equal to the sum of \$115,900 97, for the service of the year 1820. The civil list of this state costs about 60,000 dollars—the penitentiary 12,000, of which, last year, it returned only \$2,565 70.

From the *National Intelligencer*. By official returns of last summer, it appears there were in Ohio, with the exception of one county, 99,232 white males above the age of 21. It is not doubted the males above that age, in the county from which a return has not been made, it is not less than 1000. This added, results in an aggregate of 100,232. To ascertain the amount of population, it is believed 5½ will be a suitable multiplier. These numbers give a product of 551,926.

In the year 1819 the amount of population was 230,760. Thus it is apparent an increase of upwards of 100 per cent. has taken place within the last nine years.

A citizen of Ohio.

PITTSBURG. We have a comparative statement of the extent and value of the manufactories of Pitts-

burg and its vicinity, in the years 1815 and 1819. The general results are as follows:

	1815.	1819.
Number of persons employed,	1,960	672
Value of the manufactures,	\$2,617,838	832,000

The table shall be given hereafter.

PAPER. In page 331, we inserted the memorial of the paper makers and dealers in the article at Baltimore. We have since received the memorial of the paper makers of the states of Pennsylvania and Delaware, praying that congress will lay a duty of 25 cents per lb. on all writing, printing and copper-plate papers, and of 15 cents on all other.

The memorial is long and interesting, but we have not room to insert it. In the district represented, it appears there were 70 paper mills, with 95 vats, in full operation, until the importations after the late war. These establishments cost about 500,000 dollars, and employed 950 persons, whose annual wages amounted to 217,000 dollars, consuming 2,600 tons of rags in a year, and producing paper worth 800,000 dollars—but now only 17 vats are at work, the wages paid amount only to 45,000 dollars; the production no more than 156,000—leaving 775 persons out of the employ, with the loss of 2128 tons of rags unconsumed, and a manufactured amount of 624,000 dolls. When paper was taxed, the average amount paid by a vat was from 200 to 250 dollars.

This great decrease, we apprehend, has not wholly arisen from the importation of foreign paper. The business of publishing books has exceedingly declined—but certainly, the sacrifices of the foreign commodity, by sales at auction and otherwise, has greatly embarrassed the domestic manufacture—a manufacture which, of all others, is perhaps the most productive of profit to the country, in consuming a raw material of no value without it.

INDIANA. Abstract of the treasurer's report, for the year ending Dec. 4, 1819.

In the treasury Dec. 1818	-	-	4,451	18
Received from sundry sheriffs	-	-	7,399	51

11,850 69

Deduct an appropriation	-	-	91	00
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Leaving the sum of \$11,759 69

Within the year the following disbursements were made—

On account of the executive	-	-	2,542	60
judiciary	-	-	3,977	78½
legislature	-	-	4,411	88½
contingencies	-	-	318	87½
militia claims	-	-	57	78½

For wolf scalps	-	-	346	00
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11,701 90½

Leaving a balance in the treasury of \$57 78½

ROCHESTER, N. Y. We have several times noticed the progress of this village, seated on the shore of lake Ontario, on a spot that may be said to have been unsettled at the close of the late war. During the past season, 48 different vessels entered the port, and the arrivals and departures of vessels amounted to 256—at one time 12 vessels were lying in the harbor. The exports were valued at \$400,000, consisting of 23,648 bbls of flour, 8,673 do. pot and pearl ashes, 1,451 do. pork, &c. with quantities of lumber, wheat, corn, cider, whiskey, cheese, &c. &c.

Charleston. There arrived in this port in the month of December last, 20 ships, 13 brigs, 59 schooners and 29 sloops.

Straw bonnets. It is estimated that the value of straw bonnets manufactured in Massachusetts, Rhode Island and Connecticut, exceeded 500,000 dollars in the year 1817, and great improvements have latterly been made,—which, together with the discovery of a vegetable by which the best quality of Leghorn bonnets are successfully imitated, is likely to render our fair country-women independent of foreign supplies in this respect, and at the same time furnish a delicate employment to many others of their own sex. There are few things that more properly demand the attention of congress than this manufacture, so far as its amount goes. As, gentlemen, certainly, they will encourage the ladies in their industrious habits.

HAVANA—223 vessels arrived at this port from the 1st of January to the last of Nov. 1819—of these, 206 were from the United States. The flour imported in them was 104,987 barrels—of which, in 54 vessels, 43,478 bbls. were from Baltimore; 44 vessels, and 16,803 bbls. from New-Orleans; 29 vessels and 16,305 bbls. from Philadelphia; 16 vessels and 4,339 bbls. from New-York; 21 vessels and 3,583 bbls. from Charleston, &c.

NEW HOLLAND.—The annual muster, concluded at the last date, gave the following results:—

Total number of souls in New South Wales	17,165
Ditto in Van Dieman's Land	3,214

Population of the territory 20,379

There were 14,500 acres of wheat in cultivation in New South Wales, 1,250 acres of potatoes, barley and oats, and 11,700 acres of maize. The following are the quantities of stock exclusively in New South Wales, viz.

Horses	2,850	sheep	66,700
Cattle	33,650	pigs	11,400

Of the above 20,379 souls, there were 4,100 male convicts; 1,340 women prisoners, and 850 of their children; and since this census was concluded, this portion of the population will have been nearly doubled; upwards of 4000 men and about 500 women having been forwarded thither, from Great Britain and Ireland, since June of the last year. Thus, including the settlers who have since gone out, the entire population of the territory may now be estimated at 25,000 souls. In 1812, the total number of inhabitants were only 12,470, by which it will appear they have been doubled in six years.

Public Buildings.

Report of the committee of the House of Representatives on so much of the President's Message, as relates to the Public Buildings.

The committee on so much of the President's Message as relates to the Public Buildings, Report, in part, That, from the various facts and documents laid before them, it appears that "the work of the centre building has been carried on in a style conformable to the other parts of the building. The walls have been raised to the height contemplated in the estimates presented at the last session of Congress, and workmen are now engaged in preparing the materials for the continuance of the work."—As yet, "the expense of this part of the building has not exceeded the estimates," and your committee entertain a strong hope that it will not become necessary to change their language, and hereafter recommend an additional appropriation to cover an "excess of expenditure;" but that the exercise of a prudent forethought, and more correct numerical calculations, by those to whom the erection of this "premi-

edifice" has been entrusted, will afford ample testimony that public confidence in their integrity and abilities is not misplaced.

In relation to the two wings of the Capitol, the President's House, and the two new Executive Offices, it appears that the appropriations of the two last years have not been sufficient to meet the expenditures. The appropriations in 1818 and 1819, for the completion of the wings, (exclusive of \$20,000 therefore appropriated) amounted to the sum of \$131,332; this sum has been found insufficient by \$75,000. The sum of \$15,214 was appropriated, in 1819, for "finishing the President's House;" the expenditures have exceeded this sum by \$13,174 86. In 1818, the sum of \$180,741 was appropriated for building two new Executive Offices; it proved insufficient for those objects by \$11,015 71.

Your committee have examined into the causes of this great excess beyond the appropriations, and have been satisfied that the expenditures have *actually been made*. The letter of Mr. Bulfinch (A) together with the letter of the commissioner of the Public Buildings, (marked No. 1.) and the several communications and documents accompanying it, (marked No. 2, 3, 4, 5 and 6) will account for a large part of the excess in finishing the wings of the Capitol. From these documents it will also appear that the particulars in which the excess accrued, appear to be more in outstanding and unascertained accounts and claims, than in error in the estimates upon which the appropriations were made.

The letters of Mr. James Hoban, the architect of the President's House and Executive Offices, heretofore annexed, (marked B and C) have been laid before the committee, in order to account for such excess as has accrued in repairing and finishing those buildings. For such part of the expenditures as are not accounted for by these various documents, the committee have examined the accounts of the disbursements of the Commissioner of the Public Buildings, and have been satisfied that the whole amount of the excess (\$69,190 37) has been expended. They also express their belief, that the several buildings could not have been advanced to their present finished condition by the appropriations made for them.—Believing that the question "whether the expenditures upon the public buildings have been prudently made?" was subject matter for the enquiries of another committee of this House, your committee have not directed their attention to that subject.

The committee think it but justice to Mr. Bulfinch to observe, that the estimates heretofore submitted by him, (soon after his coming into office) in relation to completing the wings of the Capitol, were necessarily founded upon the information and data furnished by others, to which their insufficiency for the intended objects may be traced, in a great measure; and that it was scarcely possible for him, at that time, to have a knowledge of outstanding and unpaid accounts, and unadjusted contracts.

In order to defray these various expenses, found necessary beyond the appropriations, it appears that the Commissioner of the Public Buildings has resorted to a transfer of appropriations, intended for other objects, which it was not immediately necessary or practicable to execute, and to a loan from one of the banks. To what extent, and under what authority he acted, in relation as well to the transfers as the loan, will appear from the letters heretofore annexed (marked No. 7 and 8).

The committee beg leave to report a bill, making appropriations to supply the deficiencies in the appropriations heretofore made for completing the repairs of the two wings of the Capitol and the Presi-

dent's House, and the erection of two new Executive Offices.

[The letters and statements accompanying this report, consist of details respecting stone and wood which it is supposed our readers can have no desire, to peruse.

The Slave Question.

We have already noticed the proceedings of the legislatures of several states on the question involved by the proposed admission of the territory of Missouri into the union. The following have reached us during the past week, and, for convenient reference, are inserted in regular succession.

New Jersey.—The following resolutions were reported in the legislature of this state, and passed:—Whereas a bill is now depending in the Congress of the United States, on the application of the people in the territory of Missouri, for the admission of that territory as a state into the union, not containing provisions against slavery, in such proposed state, and a question is made upon the right and expediency of such provision—

The representatives of the people of New Jersey, in the legislative council and general assembly of the said state, now in sitting, deem it a duty they owe to themselves, to their constituents, and to posterity, to declare and make known the opinions they hold upon this momentous subject—and

1. They do resolve and declare, that the further admission of territories into the union, without restriction of slavery, would, in their opinion, essentially impair the right of this and other existing states to equal representation in Congress, (a right at the foundation of the political compact) inasmuch as such newly admitted slave holding state would be represented on the basis of their slave population, a concession made at the formation of the constitution in favour of the then existing states, but never stipulated for new states, nor to be inferred from any article or clause in that instrument.

2. *Resolved*, That to admit the territory of Missouri as a state into the union, without prohibiting slavery there, (if Congress may rightfully prevent it) would, in the opinion of the representatives of the people of New Jersey aforesaid, be no less than to sanction this great political and moral evil, furnish the ready means of peopling a vast territory with slaves, and perpetuate all the dangers, crimes, and pernicious effects of domestic bondage.

3. *Resolved*, As the opinion of the representatives aforesaid, that inasmuch as no territory has a right to be admitted into the union, but on the principles of the federal constitution, and only by a law of Congress, consenting thereto on the part of the existing states, Congress may rightfully, and ought to refuse such law, unless upon reasonable and just conditions, assented to on the part of the people applying to become one of the states.

4. *Resolved*, In the opinion of the representatives aforesaid, that the article in the constitution which restrains Congress from prohibiting the migration or importation of slaves, until after the year eighteen hundred and eight, does, by necessary implication, admit the general power of Congress over the subject of slavery, and concedes to them the right to regulate and restrain such migration and importation after that time, into the existing or any newly to be created state.

5. *Resolved*, As the opinion of the representatives of the people of New Jersey aforesaid, that even if it could be made a doubtful question, yet, inasmuch as Congress have a clear right to refuse

the admission of a territory into the union, by the terms of the constitution, they ought, in the present case, to exercise that absolute discretion, in order to preserve the political rights of the several existing states, and prevent the great national disgrace and multiplied mischief which must ensue from conceding it, as a matter of right, in the immense territories yet to claim admission into the union, beyond the Mississippi, that they may tolerate slavery.

6. *Resolved*, That the speaker of this house do transmit these resolutions to the senators and representatives of this state, in the Congress of the United States.

The *Delaware* resolutions on the same subject were passed unanimously in the house of representatives, and would, no doubt, pass the senate, in substance, as follows:—

Resolved, By the Senate and House of Representatives of the State of Delaware, in General Assembly met, That in the opinion of this general assembly, the future introduction of slaves into the territories of the United States, and into such new states as may be hereafter admitted into the union, ought to be prohibited by Congress.

Resolved, That the speaker of the senate send to each senator and representative of this state in Congress, a copy of the foregoing resolution; and that he be directed to inform them, that it would give great pleasure to this general assembly, if they can, consistently with the high responsibility under which they act, give their support to such measures as may be devised to restrict the future introduction of slaves into the said territories and states.

A very large meeting of the people of New Castle County was held at Wilmington, Del. on the 15th instant, judge Booth in the chair, whereat sundry resolutions were unanimously passed—shewing the opinion of the meeting, that it was constitutional and highly expedient to prohibit the further extension of slavery. C. A. Rodney, Esq. was among the speakers in favor of the resolutions.

Virginia.—The following preamble and resolutions have been adopted in the House of Delegates, with only one or two dissentients:—

The General Assembly of Virginia view with deep regret, a proposition now before the Congress of the United States, to impose on that portion of citizens inhabiting the Missouri territory, as a condition of their admission into the union, certain restrictive terms, which would not only place the proposed state on an unequal footing with the other states, but violate and degrade the sovereign character in which a people act when they form a constitution or system of government. Should this alarming attempt succeed, the will of Congress is to be substituted for the sovereign will of the people in the Missouri territory, not only in the adoption of their constitution; but to the exclusion of the inestimable right to alter the same hereafter, as that people may deem necessary for their prosperity and happiness. The duty of Congress to refuse any portion of the people an admission into the union, because they have adopted a constitution incompatible with the principles of republicanism, cannot justify that body in requiring *a priori*, the incorporation of a fundamental and unalterable stipulation, not necessary to guarantee a republican form of government. Nor can the discretion of Congress, as to admitting into the union a territory attached to the United States, justify a demand that the new state shall surrender any part of those sovereign rights which, from the nature of our government, must equally belong to every member of the confederacy.

But, with regard to the Missouri territory, the dis-

cretion of Congress is, moreover, to be regulated in good faith by the treaty of cession, by which the inhabitants are to "be incorporated into the union, and admitted as soon as possible, according to the principles of the federal constitution, to the enjoyment of all the rights, advantages, and immunities of citizens of the United States." No one asserts that the people of the Missouri territory are premature in their demand; and what do they demand? Not merely to be admitted into the union, but to be admitted upon equal terms with the existing states. How else can they enjoy the rights, advantages, and immunities of other citizens of the United States? With what justice can they be required to surrender their rights under the compact of cession, by a compact with Congress?

The constitution does not permit any interference on the part of the general government with the municipal policy of the states, except such as may be produced by laws necessary and proper for carrying into execution the powers expressly granted to that government. All such laws may be enacted by Congress. If a power proposed to be exercised be granted by the constitution, a compact with any state for its execution is idle; if not granted, the demand of such a compact is an usurpation. There is no part of the constitution which authorizes a compact between Congress and a state, for the surrender of sovereign rights. How is such a compact to be enforced? Does the state forfeit its sovereign character by an infraction? or is the federal government to compel a performance by violence?

"The powers not delegated to the United States by the constitution, not prohibited by it to the states, are reserved to the states respectively, or to the people." This provision in the constitution reserves the same sovereign rights to all the states, and surely applies as well to the new as to the old states. It is, therefore, only necessary to shew that any right belongs to the states respectively, who were originally parties to the compact, and it follows that the new states must possess precisely the same right. The duties, the powers, the rights of a state, and of course the political signification of the term as used in the constitution, are to be ascertained by reference to that instrument. And it cannot be pretended that the word is used in a different sense in the clause which gives to Congress the power of admitting new members into the confederacy, from that in which it is used, when applied to the original parties. As the same sovereign right belong to all the states, and the existence of the state governments depends upon the preservation of those rights; an attack upon the sovereignty of one, must be considered an attack upon the sovereignty of all.

The state of Virginia is, therefore, as it regards the subject, united in a common cause with the people of the Missouri territory, and bound to interpose for their defence.

The General Assembly of Virginia cannot believe that Congress will arrogate to itself a power far beyond the limits of the constitutional charter, involving a flagrant violation of a solemn treaty; of most serious and potent danger to the sovereign rights reserved to the states; alarming as it respects the future liberties of the people, and tending immediately to weaken the strong cement of mutual concession and confidence, in which the foundation of our happy union has been laid. And it is with the most painful regret that they view the agitation of a question calculated to excite feelings eminently hostile to the fraternal affection and prudent forbearance which ought ever to pervade this confederated union.

Resolved, therefore, by the General Assembly of Virginia, That the Congress of the United States have no power, under the federal constitution, to dictate to the people of the Missouri territory what principles shall govern them in the formation of their constitution or system of government, or in the adoption of regulations respecting their property, but are simply bound to guarantee to them, in common with other states, a republican form of government.

Resolved, That the Congress of the United States are bound in good faith, by the treaty of cession of 1803, to admit the good people of the Missouri territory into the union upon equal terms with the existing states.

Resolved, That the General Assembly of Virginia will support the good people of Missouri in their just rights and admission into the union, and will co-operate with them in resisting, with manly fortitude, any attempt which Congress may make to impose restraints or restrictions, as the price of their admission, not authorized by the great principles of the constitution, and in violation of their rights, liberties, or happiness.

Resolved, That the senators from this state in the Congress of the United States, be instructed, and the representatives requested to use their best efforts in procuring the admission of the state of Missouri into the union, upon the principles contained in the foregoing resolutions, and in resisting any attempt which shall be made in Congress to impose conditions upon the people of Missouri, not warranted by the treaty of cession, and the constitution of the United States.

Resolved, That the governor of this commonwealth be desired to transmit a copy of the foregoing preamble and resolutions to each of the senators and representatives from Virginia, and the delegates from the Missouri territory, in the present Congress, and to the governor of each state and territory in the union, with a request that they may be laid before their respective legislatures.

An attempt was made to substitute a request for the proposed instruction to the senators, but the motion was negatived by yeas and nays—142 to 38.

Kentucky.—The subsequent preamble and resolutions was introduced into the House of Representatives of Kentucky, by Col. James Johnson, and expected to be adopted by a large majority:

Whereas, the constitution of the U. S. provides for the admission of new states into the Union, and it is just and proper that all such states should be established upon the footing of original states, both with a view to the preservation of state sovereignty, the prosperity of such new states and the good of their citizens; and whereas successful attempts have been heretofore made and are now making, to prevent the people of the territory of Missouri from being admitted into the Union as a state unless trammelled by rules and regulations which do not exist, particularly in relation to the toleration of slavery, whilst a most liberal and magnanimous policy has been voluntarily extended to other territories.

Whereas, also, if Congress can thus trammel or controul the powers of a territory in the formation of a state government, that body may on the same principles, reduce its powers to little more than those possessed by the people of the District of Columbia, and whilst professing to make it a sovereign state, may bind it in perpetual vassalage; and reduce it to the condition of a province; such state must necessarily become the dependent of Congress, asking powers, and not the independent state, demanding rights. And whereas it is necessary in preserving the state sovereignties in their present rights, that

no new state should be subjected to this restriction, any more than an old one, and that there can be no reason or justice why it should not be entitled to the same privileges, when it is bound to bear all the burthens and taxes laid upon it by Congress.

In passing the following resolutions, the General Assembly refrains from expressing any opinion either in favour or against the principles of slavery. But to support and maintain state rights, which it conceives necessary to be supported and maintained to preserve the liberties of the free people of these U. S. it avows its solemn conviction that the states already confederated under one common constitution have not a right to deprive new states of equal privileges with themselves, and from a contest of this nature, awful consequences to the Union may be apprehended—Therefore,

Resolved, by the General Assembly of the Commonwealth of Kentucky, that the senators in Congress from this state be instructed, and the representatives be requested, to use their efforts to procure the passage of a law to admit the people of Missouri into the Union as a state, whether those people will sanction slavery by their constitution or not.

Resolved,—That the executive of this commonwealth be requested to transmit this resolution to the senators and representatives of this state in Congress, that it may be laid before that body for its consideration.

Indiana.—The Legislature of this state, by a large majority, has passed a vote of censure on *Walder Taylor, Esq.* one of its senators in Congress, on account of a vote which he gave in the Senate of the U. S. at its last session, favourable to the admission of slaves into the *Arkansas* territory, though he had voted against striking out the section of the bill for the admission of *Missouri*, providing for their prohibition therein. It will be recollected—that though the House of Representatives resolved to prohibit slavery in the proposed state of Missouri, it was agreed to permit it in the territory of *Arkansas*.

Medical Convention of the U. S.

It had long been observed that great inconvenience and serious evils were experienced from the varying names and discordant modes of compounding Medicines. These are felt both by the physician who prescribes, and the patient who receives the remedy. Experience has proved, that the preparations kept in the shops of the Apothecaries, and sold to house keepers and to the citizens at large, each under a particular name, do nevertheless differ materially in strength and other properties. In many cases, neither the person who orders a medicine, nor the one for whom it is ordered, possesses any certain information of the ingredient it contains.

For the purpose of introducing regularity in the composition and preparation of remedies, and of establishing uniformity in their use and employment, the gentlemen of the medical profession, in the U. States, more than two years ago undertook the business of a reform. Their object was two fold: 1st. To make a catalogue of *simples* which ought to compose the *Materia Medica*; and 2dly. To recommend a body of *compounds* that ought to be kept in the shops as articles to be relied on for fitness and efficacy.

The Medical Societies, Colleges, Schools, and Universities, approving the design, appointed Delegates to meet and deliberate on matters of such serious concern.

Accordingly, during the year 1819, four conventions were called, to hold their sittings in as many places, to wit: in Boston, Philadelphia, Columbia, S. C. and Lexington, Ky. — From these District Conventions, Commissioners were elected to attend a Central or National Convention, at the City of Washington, on the 1st January, 1820, and to bring with them all the information in their power, towards the formation of a National Pharmacopœia.

Such a work is now before the General Convention, which began its sessions on the prescribed day, in the Capitol.

Should this undertaking succeed, of which there can be no doubt, the American people will derive from it signal advantages. These will be felt by three classes of persons — those who prescribe, those who prepare, and those who take remedies. They will all feel a confidence heretofore unknown, because they will henceforward have a good and safe rule to govern them.

From this assemblage of talents a performance may be expected which may merit the appellation of the *Medical Constitution of the United States*—a structure for the present generation to enjoy, and a foundation for posterity to improve.

One good effect is already apparent. It is ascertained that the fields, the mountains, and the forests of North America, abound with vegetable productions, that possess the power to relieve the inhabitants from the diseases which afflict them. Many of these are peculiar to our country, and admirably adapted to our wants. They are so rich, diversified, and efficacious for the promotion of health, that there is no necessity of importing many from foreign countries.

Another important consequence is no less evident. Instead of local and conflicting Pharmacopœias, which embarrass and disfigure the several governments of Europe, and even in some instances the different districts of the same sovereignty, the citizens of the United States have, at this moment, the prospect of a Professional Manual, for the introduction of a standard that shall extend its comforts over all the space situated between Canada and Mexico.

Address of the Medical Convention of the United States to their constituents and fellow-citizens.

CAPITOL, CITY OF WASHINGTON, 2
JANUARY 8, 1820. 5

Gentlemen:—The national convention for forming a Pharmacopœia is on the eve of terminating its sittings, after bringing the important business, for which it assembled, to a happy and successful close.

It is really a subject of gratulation, both to the profession and to the people, that this work, which has been for two years in a preparatory state, should at length have reached maturity.

The individuals who conceived the design, and the incorporated bodies who furthered it, have the satisfaction of beholding a novel and interesting spectacle—that of the faculty, itself, by a spontaneous effort, and without public summons, or compensation, compiling a *Codex Medicamentarius*, or book of Rules and Directions for selecting and compounding the articles employed in practice. The whole civilized world may behold a great and growing nation, speaking a similar language, possessing the same general laws, using an uniform denomination of value, and conforming to each other in the rules of preserving health, and of preparing remedies.

We have appointed a committee of five members to superintend the publication of the book we have compiled. It may be expected that they will execute their task with the smallest practicable delay.

We recommend it to your perusal and patronage, as a performance upon which we have bestowed great labor, and the best abilities we possess.

Under conviction, however, that a revision, from time to time, will be necessary, we have provided for the reception, at seasonable periods, of such amendments as experience shall prove to be requisite. The propriety of this arrangement, we trust, will be evident to every considering mind.

In addition to its professional character, we indulge a patriotic hope, that our Pharmacopœia may act as a band of union, by drawing the inhabitants and governments of our country to a nearer assimilation with each other.

Done in, and by order of the Convention,

SAM'L. L. MITCHELL, *Pres't.*

THOS. T. HEWSON, *Sec'y.*

NATIONAL PHARMACOPOEIA.

During the session of the delegates from the Northern, Middle, Southern and Western Districts of the United States, assembled in the Capitol, for the formation of a National Pharmacopœia, Dr. Samuel Baker, of Baltimore, Drs. Terrell and Abbot, of Georgia, took their seats.

Having decided on the several articles of the *Materia Medica*, and on the preparations and compounds official, the Convention appointed Dr. Jacob Bigelow, of Boston; Dr. Eli Ives, of New Haven; Dr. Lyman Spalding, of New York; Dr. Thomas T. Hewson, of Philadelphia; and Dr. Elisha De Butts, of Baltimore, a committee to arrange and prepare the same for the press.

The Convention terminated its sittings on the 8th instant.—*Nat. Intel.*

Civilization of the Indians.

Letter from the secretary of war, transmitting to congress a report of the progress which has been made in the civilization of the Indian tribes, and the sums which have been expended on that subject.

Department of war, Jan. 15, 1820.

SIR—In compliance with the resolution of the house of representatives of the 6th inst. “that the secretary of war be directed to report whether any, and, if any, what progress has been made in the civilization of the Indian tribes, and the sums of money, if any have been, expended on that object, under the act of the last session,” I have the honor to make the following statement:

No part of the appropriation of ten thousand dollars annually, made at the last session, for the civilization of the Indians, has yet been applied. The president was of opinion, that the object of the act would be more certainly effected by applying the sum appropriated in aid of the efforts of societies, or individuals, who might feel disposed to bestow their time and resources to effect the object contemplated by it; and a circular (of which the enclosed is a copy) was addressed to those individuals and societies, who have directed their attention to the civilization of the Indians. The objects of the circular were to obtain information, and disclose the views of the president, in order to concentrate and unite the efforts of individuals and societies, in the mode contemplated by the act of the last session. The information collected will enable the president to apply, early in this year, the sum appropriated. The economy and intelligence with which it will be applied, under the superintendence of zealous and disinterested individuals, will, it is hoped, carry into effect, as far as practicable, the views of congress.

While many of the Indian tribes have acquired

only the vices with which a savage people usually become tainted; by their intercourse with those who are civilized; others appear to be making gradual advances in industry and civilization. Among the latter description may be placed the Cherokees, Choctaws, Chickasaws, and perhaps the Creeks, most of the remnants of the six nations, in the state of New York; the Wyandots, the Senecas, and Shawanese, at Upper Sandusky, and Wapakonetta. The Cherokees exhibit a more favorable appearance than any other tribe of Indians. There are already established two flourishing schools among them. One at Bainard, under the superintendence of the American board for foreign missions, at which there are at present about one hundred youths of both sexes. The institution is on the Lancasterian plan, and is in a very flourishing condition. Besides readings, writing, and arithmetic, the boys are taught agriculture, and the ordinary mechanic arts, and the girls, sewing, knitting, and weaving. At Spring Place, in the same nation, there is a school on a more limited scale, under the superintendence of the United Brethren, or Moravians. Two other schools are projected in the same nation, one by the American, and the other by the Baptist board, for foreign missions; and arrangements are making to establish two other schools among that portion of the Cherokee nation which reside on the Arkansas. The Choctaws and Chickasaws have recently evinced a strong desire to have schools established among them, and measures have been taken by the American board for foreign missions for that purpose.—A part of the former nation have appropriated two thousand dollars annually, out of their annuity, for seven years, as a school fund. A part of the Six Nations, in New York, have of late, made considerable improvements; and the Wyandots, Senecas and Shawanese, at Upper Sandusky, and Wapakonetta, have under the superintendence of the society of Friends made considerable advances in civilization.

Although partial advances may be made, under the present system, to civilize the Indians, I am of an opinion, that, until there is a radical change in the system, any efforts, which may be made, must fall short of complete success. They must be brought gradually under our authority and laws, or they will insensibly waste away in vice and misery. It is impossible, with their customs, that they should exist as independent communities, in the midst of civilized society. They are not in fact an independent people, (I speak of those surrounded by our population,) nor ought they to be so considered. They should be taken under our guardianship; and our opinion, and not theirs, ought to prevail, in measures intended for their civilization and happiness. A system less vigorous may protract, but cannot arrest their fate.

I have the honor to be, your most obedient servant,
J. C. CALHOUN.

Honorable H. CLAY,

Speaker of the house of representatives.

[CIRCULAR.]

Department of war, 3d Sept. 1819.

SIR—In order to render the sum of ten thousand dollars annually appropriated at the last session of congress for the civilization of the Indians, as extensively beneficial as possible, the president is of an opinion, that it ought to be applied in co-operation with the exertions of benevolent associations or individuals, who may choose to devote their time or means to effect the object contemplated by the act of congress. But it will be indispensable, in

order to apply any portion of the sum appropriated in the manner proposed, that the plan of education, in addition to reading, writing, and arithmetic, should, in the instruction of the boys, extend to the practical knowledge of the mode of agriculture, and of such of the mechanic arts as are suited to the condition of the Indians; and in that of the girls, to spinning, weaving, and sewing. It is also indispensable that the establishment should be fixed within the limits of those Indian nations who border on our settlements. Such associations, or individuals, who are already actually engaged in educating the Indians, and who may desire the co-operation of the government, will report to the department of war, to be laid before the president, the location of the institutions under their superintendence; their funds; the number and kind of teachers; the number of youths of both sexes; the objects which are actually embraced in their plan of education, and the extent of the aid which they require; and such institutions as are formed, but have not gone into actual operation, will report the extent of their funds; the places at which they intend to make their establishments; the whole number of youths, of both sexes, which they intend to educate; the number and kind of teachers to be employed; the plan of education adopted; and the extent of the aid required.

This information will be necessary to enable the president to determine whether the appropriation of congress ought to be applied in co-operation with the institutions which may request it, and to make a just distribution of the sum appropriated.

In proportion to the means of the government, co-operation will be extended to such institutions as may be approved, as well in erecting necessary buildings, as in their current expenses.

I have the honor to be, your most obedient servant,
J. C. CALHOUN.

To — — —

British Laws!

Substance of a bill for the more effectually preventing seditious meetings and assemblies.

The preamble states that, in divers parts of this kingdom, assemblies of large numbers of persons, collected from various parishes and districts, under the pretext of deliberating upon public grievances, and of agreeing on petitions, complaints, remonstrances, declarations, resolutions or addresses, upon the subject thereof, have of late been held, in disturbance of the public peace, to the great terror and danger of his majesty's loyal and peaceable subjects, and in a manner manifestly tending to produce confusion and calamities in the nation. The following is the substance of the several classes:—

No meeting of more than persons (except county meetings, &c.) to be holden, unless in separate parishes or townships, and with notice to a justice of the peace by householders.

Justice may alter time and places of meeting. Respecting adjournments of meetings, &c.

No persons to attend meetings unless freeholders of the county or members of the corporation, or inhabitants of the city or parish, &c. for which the meeting shall be held.

Persons attending meetings contrary to the provisions of this act, to be liable to fine and imprisonment.

Not to affect meetings of persons in trade, &c. upon any matters relating to the trade.

Allowing justices to resort to assemblies;

If notice shall purport, that any thing by law established, may be altered, except by authority of king, lords and commons, &c. meeting shall be deemed an unlawful assembly.

Persons attending meetings contrary to this act, to be required by proclamation to depart.

Form of proclamation

Punishment of persons assembled contrary to this act, not dispersing after being required so to do by proclamation

Form of proclamation.

Justices at meetings on notice may order persons, propounding or maintaining propositions for altering any thing by law established, except by authority of the king, lords and commons, &c. to be taken into custody; and in case of resistance, may cause proclamation to be made as aforesaid, and if or more shall continue together an hour thereafter, they shall suffer death.

Punishment of persons obstructing justices, &c.

Justices, &c. indemnified in case of killing or maiming.

Persons not to attend meetings with arms, weapons, &c.

Persons not to attend meetings with flags, banners, and other ensigns or emblems.

Sheriff's depute in Scotland to have the same powers as magistrates in England.

Justices at sessions may subdivide large parishes and townships for all the purposes of this act.

Meetings may be held under this act in certain parishes in Westminster, within miles of Westminster hall gate, notwithstanding act of 57 Geo. III. c. 19.

Notice not to be contrary to law.

Persons indicted, not allowed to traverse the same to a subsequent assizes or session.

Offenders may be indicted, if not prosecuted under this act.

Places for lectures or debates, unless previously licensed, deemed to be disorderly places, and punishing persons paying or receiving money.

Penalty on persons by whom such places shall be opened 100*l*.

Prosecuting masters of such places.

Magistrates may demand admission to unlicensed places.

Two justices may license places for lectures, &c. Justice may inspect licensed places.

Lectures at the universities, inns of court Gresham college, &c. excepted.

Forfeiture of license in case of seditious or immoral lectures.

Limitation of actions.

Limitation of actions, &c. in Scotland.

Prosecutions to be commenced within months after offences.

Act may be repealed or altered this session.

Search of arms' bill.

The preamble of this bill states, that arms and weapons of various sorts have been collected, and are kept in various parts of the kingdom, for purposes dangerous to the public, and that it is expedient that justices of the peace should be authorised and empowered to detain such arms—it is therefore enacted, that upon the information, on oath, of one or more creditable witnesses, justices may issue warrants to search for and seize arms thus sworn to be kept for such dangerous purposes, and, in case admission is refused, power is given to the constable to enter by force, by day or by night, into every house, or place whatsoever, and to detain, or cause to be detained, in safe custody, in such place as the

said justice of the peace shall appoint and direct the arms or weapons so found and seized as aforesaid, unless the owner thereof shall prove, to the satisfaction of such justice, that such arms were not kept for any purpose dangerous to the public peace.

The next clause gives the power of appeal to the quarter sessions, for the restitution of such arms.

The third clause authorises the arrest, the detention and holding to bail of all persons found carrying arms under suspicious circumstances.

The fourth clause gives a concurrent jurisdiction to all justices of counties affected by the bill.

The sheriff depute of Scotland is, in the next clause, invested with similar powers.

Actions against justices, constables, &c. for acts done in pursuance of this statute, must be brought within three months—the venue must be local, and in case of verdict for defendant, or judgment on demurrer, plaintiff must pay double costs.

A similar limitation holds with regard to Scotland, with the difference merely of allowing treble costs against the pursuer, in case of the failure of his suit.

The act extends to the counties of Lancaster, Chester, the West Riding of Yorkshire, Stafford, Derby, Leicester, Nottingham, Cumberland, Durham, Renfrew and Lanark, and such other counties as, upon representation made by the justices at quarter or general sessions, or by any general meeting of the lieutenancy, shall by royal proclamation be declared to be disturbed.

The operation of the act may be restricted or extended by the king in council.

A blank is left for the duration of the act.

CONGRESS.

IN THE SENATE.

January, 14.—Mr. Sanford, from the committee on finance, to whom had been referred the bill "to continue in force the act of 20th April, 1818, entitled an act supplementary to an act entitled an act to regulate the collection of duties on imports and tonnage, passed the 2d day of March, 1799," with an amendment, the objects of which is to limit the duration of the bill to two years, instead of leaving it indefinite, reported the same. The subject is yet to be acted on.

The senate resumed the consideration of the subject of the Maine bill, (as proposed to be amended, by adding Missouri to it,) and the proposition by Mr. Roberts, to recommit the bill with instructions to the committee to separate the two, and report Maine in a distinct bill, as it came from the other house.

The debate on this question was resumed. The motion for recommitment was opposed by Mr. Barbour, Mr. Logan, and Mr. Smith, and supported by Mr. Otis, Mr. Roberts, and Mr. Dana.

The question thereon was then taken by yeas and nays, and decided in the negative.

For recommitment	18
Against it	25

The yeas and nays were as follows:

YEAS—Messrs. Burrill, Dana, Dickerson, Horsey, Hunter, Lanman, Lowrie, Mellen, Morrill, Noble, Otis, Roberts, Ruggles, Sanford, Tichenor, Trimble, Van Dyke, and Wilson—18.

NAYS—Messrs. Barbour, Brown, Eaton, Edwards, Elliot, Gaillard, Johnson, of Ken. Johnson, of Lou. King, Leake, Logan, Lloyd, Macon, Palmer, Parret, Pinkney, Pleasants, Smith, Stokes, Taylor, Thomas, Walker, of Alabama, Walker, of Geo. Williams, of Miss. Williams, of Tenn.—25.

[From the above it will be seen that every senator was present, except one member from New-York, whose seat had been vacated by the expiration of Mr. King's period of service—but he being re-elected will be in his station.]

So the motion was negatived; the senate thus refusing to separate the conjunction of the two states of Maine and Missouri.

And the senate then adjourned to Monday.

January 17.—Mr. Thomas, of Illinois, gave notice, that he should, on to-morrow, ask leave to introduce a bill by the title of "A bill to prohibit the introduction of slavery into the territories of the United States North and West of the contemplated state of Missouri."

The senate then resumed the consideration of the admission of the state of Maine into the union, as proposed to be amended by the annexation of Missouri. And the said proposed amendment being under consideration—

Mr. Edwards offered an amendment, having in view the principle of compromise (by exclusion of slavery from the other territories of the United States)—but subsequently withdrew it, to give an opportunity for the following motion:

Mr. Roberts moved to add to the amendment (whereby Missouri is proposed to be admitted to form a constitution) the following proviso:

"Provided, that the further introduction into said state of persons to be held to slavery, or involuntary servitude, within the same, shall be absolutely and irrevocably prohibited."

This motion was supported, at length, by Mr. Roberts, opposed by Mr. Elliott, and supported by Mr. Morril.

And then the senate adjourned.

January 18.—Agreeably to notice given, Mr. Thomas asked and obtained leave to bring in the following bill, which was read and passed to the second reading.

A bill to prohibit the introduction of slavery into the territories of the United States north and west of the contemplated state of Missouri.

Be it enacted by the senate and house of Representatives of the United States of America, in congress assembled, That the sixth article of the ordinance of congress, passed on the thirteenth day of July, one thousand seven hundred and eighty seven, for the government of the territory of the United States, north-west of the river Ohio, shall, to all intents and purposes, be deemed and held applicable to, and shall have full force and effect in and over, all the territory belonging to the United States which lies west and north of a line beginning at a point on the parallel of north latitude thirty degrees and thirty minutes where the said parallel crosses the western boundary line of the United States; thence, running east, along that parallel of latitude, to a point where the said parallel is intersected by a meridian line passing through the middle of the mouth of the Kansas river, where the same empties into the Missouri river; thence from the point aforesaid, north along the said meridian line, to the intersection of the parallel of latitude which passes through the rapids of the river Des Moines, making the said line to correspond with the Indian boundary line; thence, east from the point of intersection last aforesaid, along the said parallel of latitude, to the middle of the channel of the main fork of the said river Des Moines; thence, down and along the middle of the main channel of the said river Des Moines, to the mouth of the same, where it empties into the Mississippi river; thence due east, to the middle of the main channel of the

Mississippi river; thence, up and following the course of the Mississippi river, in the middle of the main channel thereof, to its source; and thence, due north, to the northern boundary of the U. States.

The Senate then resumed the consideration of the bill for the admission of Maine into the union, as proposed to be amended by the superaddition of provisions for the admission of Missouri. The proposition of Mr. Roberts, for annexing a certain condition to the admission of Missouri, being under consideration—

Mr. Morril concluded the speech which he yesterday began, in favor of the restriction. It being late before Mr. M. concluded, the senate then adjourned, on motion of Mr. Walker, of Georgia, who, it is presumed, will next take the floor in this debate.

January 19.—The sitting to-day was almost wholly spent in the debate on the Missouri question.

At an early hour Mr. Walker, of Georgia, took the floor against the right of imposing the proposed restriction on the state of Missouri.

Mr. Mellen, of Massachusetts, advocated the restriction.

Mr. Edwards, of Illinois, spoke against the restriction; and,

Mr. Leake, of Mississippi, followed on the same side. When he had concluded,

The senate adjourned, on motion of Mr. Roberts, who of course has the right to the floor to-morrow.

The business which was acted on previous to the debate, was not important.

January 20.—The debate on the Missouri question was resumed this morning.

Mr. Lowrie, of Pennsylvania, addressed the senate in support of the restriction.

Mr. Burrill, of Rhode Island, followed on the same side; and

Mr. Macon, of North Carolina, closed this day's debate by a speech against the restriction.

The senate adjourned, on the motion of Mr. Pinkney, of Maryland, who will take the floor to-morrow morning.

HOUSE OF REPRESENTATIVES.

Friday, Jan. 14.—Many reports from different committees on private claims were received. The house seems inclined to dispose of its minor business, to give time to the weighty measures which are needful to be acted upon.

Mr. Strother moved the adoption of the following resolutions.

1. *Resolved*, That the secretary of the treasury be directed to report, without delay, to this house the actual balance in the treasury, and in the hands of the treasurer, as agent of the navy department and war department, and the amount, if any, in the treasury, subject to the control of the commissioners of the sinking fund, the first of January, 1820.

2. *Resolved*, That the secretary of the treasury be directed without delay to report to this house upon what principles he has estimated the receipts into the treasury from the sales of public lands, for the year 1820.

3. *Resolved*, That the secretary of the treasury be directed, without delay, to report to this house what amount of the public debt will be redeemable, according to the terms of the contract, in the years 1820, 1821, 1822, 1823, and 1824, and what amount would be left of the sinking fund in each year respectively, after the payment of the interest of the public debt, and the portion of the principal which may be redeemable within the year.

4. *Resolved*, That the secretary of the treasury

be directed, without delay, to report to this house the present price of the stocks, and whether in his opinion, if the price is above par, it will probably continue so until the period at which the stock issued in the late war shall become redeemable; and if, in his opinion, such should probably be the fact, whether it would not be advisable to apply the surplus of the sinking fund to the current expenses of the government, rather than resort to loans or taxes.

Mr. *Williams*, of North Carolina, suggested the propriety of omitting the words "without delay," as unusual and not necessary.

Mr. *Strother* insisted on retaining the words—they were intended to express the wish of the house to have an early report. Mr. *Baldwin* objected to the 4th resolution, because its subject had already been submitted to the consideration of the house. Mr. *Strother* replied at some length in support of the resolution. Mr. *Lowndes* had no objection to any of the resolutions, except the 4th, but hoped that the words "without delay," would be stricken out. He was opposed to that resolution because the secretary would be compelled to enter into minute calculations of probable events for years to come, of peace and war, &c, or else make an unsatisfactory report. Finally, the resolution was laid on the table, and ordered to be printed—ayes 50,—noes 49.

The house then went into a committee of the whole, Mr. *Smith*, of Md. in the chair, on the report of the committee of elections on the petition of James Guyon, jun, contesting the right of Ebenezer Sage, one of the members returned as elected from the state of New York, which report declares that Mr. Sage is not entitled to a seat, and that Mr. Guyon is.

[The question involved in this case was, whether votes which were given for James Guyon, junior, but returned by the officer without the addition of a "junior," should be allowed to J. G. jun. no other person of that name being a candidate. These votes had been withheld from Mr. G. which gave Mr. Sage a majority—by giving to J. Guyon jun. all these votes it would make a majority in his favor. The committee decided to correct the error of the returning officer agreeably to the practice of the house of representatives in similar cases heretofore. Mr. S. has not appeared to claim the seat.]

A good deal of discussion took place on this subject, relative to various circumstances attending the election, the conduct of the officer, &c. after which

The committee rose and reported their agreement to the report.

The house concurred in the report, which decides the petitioner entitled to a seat in the house; when

He came forward, was qualified, and took his seat; and

The house adjourned to Monday.

Monday, Jan. 17.—Many reports on private petitions were received and disposed of.

The speaker laid before the house a communication from the war department, exhibiting a statement of the contracts entered into by that department, during the last year, rendered in compliance with the provision of existing laws.

The speaker also laid before the house a communication from the same department, transmitting information required by a resolution of this house, as to the progress which has been made in the civilization of the Indians. &c.

These communications were ordered to lie on the table and be printed.

The engrossed bill to alter the times of holding the courts in the western district of Virginia, was read the third time, passed, and sent to the senate for concurrence.

The house then, on motion of Mr. *Strother*, proceeded to the consideration of the resolutions submitted by him on Friday—the question being on the amendments proposed thereto by Mr. *Lowndes*.

The first amendment, for striking out the words "without delay," was agreed to without a division.

Mr. *Strother* opposed the striking out of that part of the 4th resolution which requires the opinion of the secretary of the treasury, on the subject submitted. Mr. *Smith*, of Md. said it was customary to ask facts, but very seldom the opinions of the secretaries. He said further that the secretary of the treasury had communicated his views in his annual report. Mr. S. went into an examination of the facts connected with the sinking fund, and the price of stocks, to show that there would be two millions and a half of the sinking fund unapplicable to paying the public debt in the year 1821, and the sum of five millions the subsequent years, &c. until, in 1824, there would be a surplus of twenty millions accruing to this fund. Mr. S. took this view, and an examination of the secretary's report, to support the opinion that it would be greatly preferable to use this money, otherwise lying dead in the treasury, instead of borrowing for the public exigencies; arguing that the public debt had been discharged more rapidly than was expedient, and that it would be wise and prudent to abstract the surplus of the next year at least, from the sinking fund for the national use. He took, also, a view of various circumstances which affect the price of stocks, and make it extremely fluctuating, to shew that there was no divining the price at any particular period a year hence, &c.

Mr. *Strother* rejoined, and further maintained his opinions, that the intelligent public agent, whose attention had been for years applied to a particular subject, would be able to give opinions which might enlighten the house in forming its decisions on that subject.

The question was then taken on the amendment proposed by Mr. *Lowndes*, and agreed to.

After some opposition, the three first resolutions were agreed to.

The question being put, on agreeing to the 4th resolution, requiring of the secretary of the treasury to report the price of the public stocks, with his opinion "whether it would not be advisable to apply the surplus of the sinking fund to the annual expenses of the government, rather than resort to loans and taxes,"

A considerable debate followed—Mr. *Johnson*, of Va. protested against the passage of this resolution. It was proper to keep the different branches of government as separate and distinct as the constitution had made them. As to taxes, Mr. J. said, it was the right of the house to judge when they were necessary. He then made some remarks on Mr. *Smith's* observations on the subject of the sinking fund—and said he would never be deterred from voting for a just measure, or from paying a just debt, by the poverty of the treasury. Mr. *Strother* replied at some length, and dwelt upon the importance of the information called for, maintaining the propriety of the call. Mr. *Hill* asked how the standard price of stocks was to be fixed—it varied at different places. The second object of the resolution was to ask the secretary whether it would not be advisable to apply the surplus of the sinking fund to the current expenses of govern-

ment, rather than resort to loans and taxes—the house might as well ask the secretary whether or not it had better adjourn. Mr. Cobb spoke at length to Mr. Smith's remarks—he deprecated any interruption or delay in the discharge of the public debt. But the discussion was yet premature, as the report of the commissioners of the sinking fund had not been received. Mr. Johnson rose again and supported his previous remarks. Mr. Smith, of Md. said he wanted nothing but facts of the executive, on these the house might judge for itself—and in conclusion asked, would any man borrow money while his own was unemployed, &c.

The question was then taken on agreeing to the resolution, and *negative*, without a division: and

The house adjourned.

Tuesday, Jan. 18. The speaker laid before the house a letter from the secretary of the treasury, transmitting a statement of the payments made at the treasury for the year 1819.

The speaker laid before the house also a report of the secretary of war of the contingent expenses of the military establishment during the year 1819.

These reports were ordered to lie on the table, and be printed.

The house, on motion of Mr. Campbell, took up the report of the committee of the whole house on the bill providing for taking the fourth census or enumeration of the inhabitants of the United States.

The amendments made to the bill by the committee of the whole (as reported in the proceedings of the 6th inst.) were successively concurred in. In the course of their consideration some discussion arose, as well on these as on additional amendments which were proposed.

That amendment being under consideration which provides for the enumeration of the manufacturing establishments, &c. a compensation of twenty per cent. on the amount of the other compensation allowed by the act—

Mr. *Stocumb* thought the people would not believe the house was in earnest to effect retrenchment, if the money was thus voted away—Mr. *Smith* of Md. proposed that the allowance should not exceed twenty per cent. which was agreed to. Mr. *McCoy* moved to strike out twenty and insert ten per cent. Mr. *Smith* thought the amount inadequate to the service required—the amount of compensation for this service at the last census was \$69,000; if the motion prevailed it would reduce it to 20,000, which would not pay for it. Several gentlemen spoke on the subject. Mr. *McCoy* thought the last account of manufactures had not benefitted the nation, and that the proposed compensation would be sufficient. Mr. *Mercer* was for giving a greater extent to the subjects required to be enumerated—it was proper that the legislature should be in possession of statistical information on all the objects which its legislation could cover. He thought that the best guides were tables of statistics, and remarked that money *well spent*, was always spent according to the soundest principles of economy. Mr. *Livermore*, of N. H. was really opposed to any extra allowance at all—the compensation was already amply sufficient, as applicable to his own state. Mr. *Smith*, of N. C. said the case was different in the southern states, and he thought the compensation reasonable. After which, Mr. *McCoy's* motion was *negative*. Mr. *Mercer* then moved to amend the bill so that there should be a return of the persons engaged in "law, physic and divinity"—*negative*, *yeas* 40. He then moved to amend the bill by add-

ing a clause requiring the assistants to include in their returns such statistical details of the agriculture of the said districts, territories, and divisions, as shall ascertain the quantity of arable and inarable land in each; of the arable land, the quantity cleared and in cultivation; and of the latter, the number of acres in each species of culture, with the average annual product per acre. After some remarks from Mr. *Mercer*, the motion was decided in the negative. Mr. *Storrs* made an unsuccessful motion to have an enumeration of free white males from 16 to 18, inclusive, and also in the return of manufactures, to except expressly household manufactures."

The bill thus amended, was ordered to be engrossed for a third reading.

Wednesday, Jan. 19. Mr. *Baldwin*, from the committee on manufactures, reported a bill to regulate the payment of duties on merchandise imported, [requiring cash payments on certain imports,] and for other purposes; also a bill laying duties on sales of merchandise at auction; which bills were severally twice read and committed.

Mr. *Cuthbert*, of Georgia, submitted the following resolution for consideration:

Resolved, That the committee on the slave trade be instructed to enquire into the expediency of establishing a registry of slaves, more effectually to prevent the importation of slaves into the U. States or the territories thereof.

Mr. *Randolph* wished to know whether the object was, that the proprietors of slaves in the United States should be obliged to furnish to this government or to any officer thereof, a register of their slaves, and to repeat this register annually, or at other periods—thus keeping this property under the supervision of government? Mr. *Cuthbert*, in reply, said it had occurred to him, if such an office was established, that the laws might be better executed—and as congress had a right to tax such property, such lists might be required, &c. But he thought that the proper time had not come to enter upon the merits of the subject. Mr. *Randolph* said he trusted that his zeal for the suppression of this detestable traffic was not surpassed by that of any man in the nation. He would also be the last man to stifle enquiry—he would consent to vote for it, but thought that it might lead to questions about the powers of government. Mr. *Cuthbert* rose again, and said that the inefficiency of the present laws was manifest, and that a remedy should be sought for, &c. The resolution was then agreed to without opposition.

The speaker laid before the house a letter from the secretary of war, transmitting a report of the quarter-master general, relative to the terms of the contract for the transportation of troops &c. of the Yellow Stone expedition; made in obedience to a resolution of this house, which was ordered to lie on the table.

The speaker also laid before the house, a report of the secretary of the navy, relative to the harbor of Presque Isle, on lake Erie; made in obedience to a resolution of this house of the 26th of February last; which report was referred to the committee on roads and canals.

The bill from the senate for the relief of Matthew Barrow was taken up, read the third time, and passed by yeas and nays.—110 to 27.

The house then agreed, on motion of Mr. *Jones*, of Ten. by a vote of 63 to 57, to resume the consideration of the bill providing for the payment of horses and other property, lost, captured and destroyed in the Seminole war.

A long and animated debate followed—various amendments were proposed. Finally, the vote on ordering the bill to be engrossed for a third reading was taken—ayes 64, noes 90. So the bill was rejected.

Thursday, Jan. 20. The speaker laid before the house a report of the names of the pensioners placed on the pension list, from each state, under the act of March 18, 1818; rendered in obedience to a resolution of the house of the 20th Dec. last.

The following message was received from the president of the United States, by Mr. J. J. Monroe.

To the house of representatives.

In compliance with a resolution of the house of representatives, requesting me "to lay before it, at as early a day as may be convenient, an account of the expenditure of the several sums appropriated for building fortifications, from the year 1816 to the year 1819, inclusive; indicating the places at which works of defence have been begun, the magnitude of the works contemplated at each place, their present condition, the amount already expended, and the estimated amount requisite for the completion of each; also the mode by which the fortifications are built, by contract or otherwise," I now transmit to the house a report from the secretary of war, to whom the said resolution was referred, which, with the documents accompanying it, contains all the information required.

JAMES MONROE.

Washington, Jan. 19, 1820.

The message was read, and with the documents ordered to be printed.

Mr. *Acher* introduced sundry resolutions respecting the judiciary of the district of Columbia, which occupied much time. They are not generally important—laid on the table, 59 to 48, and ordered to be printed. Mr. *Kent* also offered a resolution which was agreed to, having some reference to the same subject.

Mr. *Smith* of Md. laid before the house a statement from the adjutant and inspector general, exhibiting a comparative view of the army expenditures, before the late war, and the estimated expenses for the present year; which was ordered to be printed.

Mr. *Foot*, offered the following resolution for consideration:

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of regulating by law, the election and returns for representatives in the congress of the U. States.

The engrossed bill providing for taking the fourth census or enumeration of the inhabitants of the United States was read the third time, passed, and sent to the senate.

Private claims and reports and decisions thereon, consumed a large part of the time given to business this day.

CHRONICLE.

Died, on the 29th ult. in Northampton, co. Virginia, Mr. *Josiah Willis*, in the one hundred and second year of his age.

—, on the 29th ult. at New-Port, R. I. the venerable *William Ellery*, in the 93rd year of his age. There now remain only three who signed the declaration of independence.

—, at Troy, N. Y. on the 1st inst. *Charles Sel-den*, esq. aged 64 years. He entered the army of the revolution in 1777, and faithfully served during the whole war.

—, on the 31st ult. at Geneva, N. Y. *John Nicholas*, esq. in the 56th year of his age. He was

formerly a representative in congress from Virginia, but settled in New York several years ago. Few men were more beloved than Mr. Nicholas: He was a man of much public spirit and private benevolence—and merited to be called *bountiful*.

—, on the 27th ult. at his farm in Anne Arundel county, Maryland, gen. *Osburn Williams*, aged about 65. He entered the service of his country in the revolution in 1775, at an early age—passed through the whole of the struggle with reputation, and to his last hour remained firmly devoted to the principles which he contended for in his youth. He was a plain, blunt, *honest* man. A braver one, perhaps, never lived.

—, At Philadelphia, on the 5th inst. *Jacob Rush*, esq. in the 74th year of his age. He was a steadfast whig in the worst of times, and at the commencement of the revolution, took an active part in the cause of freedom. For many years he was president of the court of common pleas for the county of Philadelphia, and always regarded as a just and enlightened judge.

Mr. *Clay*, speaker of the house of representatives, is spoken of as a candidate for the office of governor of Kentucky. We should hardly suppose that he would retire from his present situation, unless to feel more the pleasures of "home."

William S. Archer has been elected to the house of representatives of the U. S. to supply the vacancy occasioned by the election of Mr. Pleasants to the senate.

Silver mine. What we must yet think is a wild story, is very gravely told of the discovery of a silver mine near Zanesville, O. in consequence of digging for salt water. At the depth of 133 feet from the surface, we are told, the auger penetrated a stratum of silver *seven feet* thick, nearly or quite as pure as that commonly used for coin! It is added that a company is forming to sink a shaft to this treasure.

Salt water has been found in abundance near Zanesville, at great depths. A reference to the 3rd vol. of this work, wherein is an account of the salt works at Kenhawa, may furnish all the particulars necessary to notice on these new discoveries of salt water.

Our seamen, whether for acts of humanity or good conduct in battle, are unrivalled. A part of the crew of the *Cyane*, now lying at New York, with great hazard, extricated a sloop from the drifting ice, and saved the persons who were on board of her.

Circuitous and cheap transportation—It is stated in the Daily Advertiser, that flour has been shipped from New York to the island of Jamaica by the way of Liverpool, England, for less than one dollar per barrel.

The Jews. A pamphlet has been published in Europe, recommending to the Jews to form a colony in the U. States.

The late Dr. *Bentley*, of Salem, has bequeathed his very valuable library and collection of manuscripts, paintings and engravings, in part to the Antiquarian society of Massachusetts, and in part to the college at Meadville, Pen. which is now under the direction of his friend, the rev. Timothy Alden.

Bank of the U. S. Mr. *Worth*, cashier of the office at Cincinnati, was very suddenly, if not rudely, dismissed some time ago. An investigation of his conduct has been had, and he was honorably restored to the cashiership.

Virginia.—The Treasurer of Virginia, J. Preston, has been using the public money, so that there is a deficit of a large amount—one account says of

101,800 dollars! He has addressed a letter to the legislature, giving it to understand that the deficit has been caused by his having been involved by individuals.

There is also some difficulty with the Register of the Land office. A resolution has passed the house of delegates directing his bond to be sued.

A clerk in the Farmers' bank of Virginia too, imitating the *illustrious* example of cashiers and clerks in other banks, acknowledges that he had "fraudulently, unlawfully, and without the knowledge of any human being," taken from the bank 22 or 23,000 dollars. But the bank has his bond, with good security, for 10,000.

"We have fallen on evil times!"

Pennsylvania. A committee of the legislature of this state, is now engaged in investigating the conduct of the governor. The enquiry will probably be a tedious one, as many witnesses are before the committee.

New York. Mr. King has been re-elected a senator from this state by an almost unanimous vote—for Mr. King 113 votes, scattering 3. The council of appointment are Messrs. Ditmas, Lounsbery, Adams and Hart. Mr. Ditmas was run by both parties—the other three are "Clintonians," and received from 65 to 70 votes. The "Tammany" candidates had from 53 to 58 votes. Parties are so divided in this state, that the "federalists" have the *casting vote*. The expenses of the legislature of this state, for pay, travelling expenses, &c. amounted to \$196,804 46.

The state of parties is thus classed in the house of assembly—Anti-Clintonians 49, federalists 34, Clintonians 33, doubtful 5. In addition 5 were absent whose classification is not given.

The amount of moneys received by the officers under the patronage or appointment of the executive of New York, is said to be more than a *million* of dollars. Some reformation in respect to this matter, seems to be desired by all parties.

Savannah, was half consumed by fire on the morning of the 11th inst. *Four hundred houses* were burned! It broke out in the thickest settled part of the city, destroyed all the printing offices, the office of the bank of the United States (papers and property preserved by the vault)—several auction stores, &c. &c. The heat was so intense that several large buildings considered as fire proof, went with the rest. Many of the houses were cleared of their contents, but these were generally burnt in the streets, from the impossibility of removing them out of the reach of the element! Several explosions of powder took place—not a barbers nor apothecaries shop, a hardware, dry goods, stationary, crockery or clothing store left! Many lost their all except what they had on their backs! How great must be their distress! The loss is estimated at from two to five millions of dollars. When a calm history of this terrible calamity is presented, we shall record it. For a time, many families were literally naked in the streets, except their night clothes!

A gale at New-York on Monday last, did great damage. The tide rose so high that boats passed through some of the streets.

Charles Thompson, whose then venerable figure strikes every man who has seen Trumbull's painting of the declaration of Independence, entered his 91st year in November last.

Georgetown, Col. A great meeting of the inhabitants of this city was held on Saturday evening last, to discuss the question of a retrocession to Maryland. The chair was taken at 4 o'clock, and the

debate lasted until 11—when, the question being called for, the tellers found it impossible to ascertain how the vote stood; so it was determined that subscription papers should be opened to obtain the opinion of the citizens on the matter.

Galvestown. It is ridiculously said that the "patriot forces," by which Texas was lately invaded, "have proceeded to Galvestown, the present head quarters of the republicans." What a prostitution of words! A nest of murderers and pirates, the head quarters of patriots! As well might it be said, that the head quarters of angels was among demons.

Alabama. A bill has been reported to the house of representatives of this state, to provide for the appointment of pilots to convey boats through the *Muscle Shoals* of the Tennessee river.

Maine. The people of Maine have accepted the constitution recently agreed upon by the convention, yeas 10,025, nays 873. The votes were counted by the convention re-assembled, and before they separated, the members agreed unanimously to support general *William King*, as the first governor of Maine. But the new state is not admitted into the union, and, as the senate of the United States has firmly linked its admission to that of the territory of Missouri, there is no knowing when it will be. The *whole* cost of the convention amounted to \$21,391 59 cents.

The Mechanics of Ontario county, N. Y. have prepared a memorial to the legislature, which they expect will be supported in other counties, praying that the legislature may pass a law to prevent the sales of mechanical tools and implements by execution or in distress for rent.

Baltimore. An attempt was lately made in the house of delegates of Maryland, to deprive Baltimore of the revenue which the city derives from sales at auction—but the first section of the bill was stricken out—ayes 44, noes 32.

The late Rev. Dr. Inglis. Proposals are issued at Baltimore for publishing a volume of sermons by the late Dr. Inglis, of the First Presbyterian church in this city. From what we have heard and seen of the doctor's matter and manner, (and several extracts from his sermons have appeared in the *Register*), we have no doubt that this volume will be highly approved—the profits of the work are to go to the benefit of his numerous orphan children, and we heartily wish that the sale may be great.

North Carolina.—The legislature adjourned on Christmas-day, having passed 49 acts of a public, and 96 of a private nature. Among the former, was an act appropriating the proceeds of the sales of the whole of the lands lately acquired by treaty from the Cherokees, as a fund for internal improvements, under the management of a board of commissioners, consisting of the governor for the time being, as president, and the following gentlemen, one from each superior court district, viz: John D. Hawkins, A. D. Murphey, Charles E. Johnson, Durant Hatch, Alfred Moore, and Charles D. Conner.

South Carolina. A very interesting law has been passed by the legislature of this state, establishing a Board of Public Works, with liberal powers, to superintend the public improvements of the state, and direct the attention of the legislature, to objects of utility.

The highway. A case of wanton and malicious obstruction on the highway, was lately tried in Dutchess county, N. Y. Two persons in a waggon drove very slow, and would not permit another in the rear to pass them. The jury gave a verdict for the plaintiff of thirty dollars and costs.

NILES' WEEKLY REGISTER.

SUPPLEMENTARY TO NO. 21—VOLUME V.—NEW SERIES.

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. ALLEN, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

The Floridas.

FROM THE NATIONAL ADVOCATE.

A pamphlet has been published in London, under the following title:—"The Cession of the Floridas to America, and the necessity of acquiring the Island of Cuba by Great Britain, by F. Rattenbury, esq." The transfer of the Floridas, so important to the United States, and so perfectly useless to Spain, has created much excitement in Great Britain—already have real or imaginary fears magnified the increasing power of the union, and aroused the jealousy, if not awakened the alarm of our good transatlantic friends, who fear that we are about to ruin ourselves with too much territory, and like a patient in a Plethora, we want bleeding. To provide a remedy, however, they are bent on having Cuba, "peaceably or forcibly," in order to maintain a position from which the commerce and prosperity of the United States may be easily annoyed; but, under this mask of fear, a ray of English ambition and jealousy is strongly visible;—they perceive the Spanish monarchy crumbling to pieces, and from the wreck they are desirous of bearing off what is most valuable, and offer in excuse the injury which they will receive from the transfer of Florida to the United States. We certainly are not indebted to the liberality or justice of English writers;—our character, institutions, and national feelings, have been unhand somely represented by them all; yet, when jealousy, alarm or distrust is to be awakened, they can speak the truth on cardinal points. Hear what Mr. Rattenbury says of the people of this country:—

"Untaxed either by the government or pauperism, the mass of the people, intelligent and enterprising, easily acquire competence. The frequent recurrence of their elective franchise, in calling their attention to the regeneration of her government, carries convincing evidence of their participation in the sovereign authority." The freedom with which they question the conduct of their statesmen, the unceremonious manner in which they animadvert upon the measures of their congress, and their unadorned and uncourtly salutation of the chief magistrate, all conspire to assure them of the equality of their political condition, and inspire them with confidence in the integrity of their representatives. These advantages, to a high-minded and generous people, would be productive of the noblest political and intellectual attainments, but unfortunately for human nature, as another proof of its imperfection, they have generated in the American people an excess of vanity and egotism, exquisitely disgusting."

We forgive the author for his last charge of egotism, for the solid truths connected with our institutions; for a country and government thus constituted, have a right to be vain indeed.

The author suspects that the people of Cuba would not be disposed to come under the British crown, nor does he suppose that Spain would be willing to cede Cuba to Great Britain. How then is this difficulty to be overcome? Mr. Rattenbury points out an expeditious mode. Take his own words:—

"Spain will doubtless reluctantly consent to the

alienation of the island of Cuba from her sovereignty, but I trust that the ministers of Great Britain will not permit that nation to withhold from us a possession rendered necessary to the protection of our commerce, by the weakness which has induced her to cede to the demands and menaces of the United States, the important position of the Floridas. If ever there existed a necessity for departing from the ordinary courtesy and delicacy of nations—if ever self-defence justifies coercion, surely the present is the moment; and the apologists for the seizure of the Danish fleet at Copenhagen cannot want an excuse for this equally necessary violence."

Here is a strong spice of that morality which has governed the cabinet of St. James in many instances, connected with her foreign relations. The seizure of the Spanish ships, laden with specie, without a declaration of war—the attack and seizure of the Danish fleet at Copenhagen—the barbarous, unmanly, and unchristian-like blockade and starvation of Norway, are among the many charges which weigh like a mountain on the character and honor of the British government; yet, with the ignominy of these acts staring them in the face, a writer advocates, adding another stain to the country; advocates the seizure of an island from an ally in time of peace, and without claims, on the mere pretext that the acquirement of an intermediate strip of territory by the United States is dangerous to her commerce.

Have we not got the Gulf of Mexico?—can the Floridas add much to our maritime strength? have we not paid five times the value for them? have we not tamely submitted to twenty years of wrongs and aggressions from Spain? Why then does this British writer attempt to set off his outrageous proposition, by the effect which our just claims may possibly have on British commerce? Why attempt to justify an atrocious measure, by representing that we drive them to that course? That the British will attempt to obtain Cuba, there is no doubt. Spain will resist it, but if overpowered, the inhabitants of the island will resist it, and if this resistance is of no avail, there is another power who will aid in preventing Great Britain from obtaining a commanding controul at the mouth of the Mexican Gulf.

Agriculture versus Manufactures.

Having published so much in support of domestic manufactures, under a full belief too, that it was decidedly advantageous to the agriculturalists that the former should receive the protection of the government, we feel it due to the subject to give the following, on the other side. It is expected that other agricultural societies in Virginia will take up this matter in the same way.

At a meeting of the Fredericksburg agricultural society, at the Farmers' hotel, in the town of Fredericksburg, on the 29th of December, 1819,

The following remonstrance having been submitted and read, was approved and adopted, as expressing the sentiments of the society.

On motion, it was

Resolved, That the said remonstrance be signed by the president and secretary, and transmitted to the hon. Philip P. Barbour, with a request that he

will cause it to be laid before the congress of the United States.

Extract from the minutes.

W. F. GRAY, Sec'y.

MEMORIAL.

To the congress of the United States.

The remonstrance of the *Virginia agricultural society of Fredericksburg* against the attempts now making by our domestic manufacturers and their friends, to increase the duties upon foreign goods wares and merchandize—respectfully represents:—

That it is the indisputable right of every free people to petition and remonstrate, either individually or collectively, not only against grievances actually inflicted, but against such also as are either seriously threatened or meditated.

That hostility, resulting from true republican principles, to partial taxation, exclusive privileges, and monopolies created by law, was the primary cause of our glorious and ever-memorable revolution.

That although most of us are only the descendants of those patriots who achieved that revolution by the lavish expenditure of their treasure and their blood; yet that we inherit enough of their spirit to feel equal aversion to similar oppressions: at the same time that we confidently trust, neither we nor our sons after us, will ever be found backward or reluctant in offering up at the shrine of national good and national happiness any sacrifice, however great, which *their* promotion and preservation may obviously and necessarily require. But we have been taught to believe, that a parental government—a government founded upon the immutable and sacred principles of truth, justice and liberty—if she required sacrifices at all, from those whom she is so solemnly bound to protect, would make them such as should operate equally upon every member of the community.

That we view with great concern, both nationally and individually, certain late attempts on the part of various descriptions of domestic manufacturers to induce your honourable body to increase the duties upon imports—already so high as to amount, upon many articles, nearly to a prohibition. The increased cost upon some of these, may truly be designated a tax upon knowledge, if not a bounty to ignorance: such for example, as the duty upon books in foreign languages, and upon philosophical and mathematical, surgical and chemical instruments.

That although these attempts are sustained under the plausible pretext of "promoting national industry," they are calculated—we will not say in *design* but certainly in *effect*, to produce a tax highly impolitic in its nature, partial in its operation, and oppressive in its effects:—a tax in fact, to be levied principally on the great body of agriculturists, who constitute a large majority of the whole American people, and who are the chief consumers of all foreign imports.

That such a tax would be a flagrant violation of the soundest and most important principles of political economy; amongst which we deem the following to be incontrovertibly true:—that as the interest of dealers and consumers necessarily conflict with each other—the first always aiming to *narrow*, whilst the latter, who form the majority of every nation, as constantly endeavor to *enlarge* competition, by which enlargement alone, extravagant prices and exorbitant profits are prevented; it is the duty of every wise and just government to secure the consumers against exorbitant profits and extravagant prices: by leaving competition as free and open as possible.

That in this way alone can the benefits of good government be equalized among the various orders and classes of society, the prosperity and happiness of which depend—not upon immunities, privileges and monopolies granted to one class or order at the expense of another—but upon the unfettered exercise of talent, skill and industry directed and employed in whatever manner, and upon whatsoever objects of pursuit each individual may select for himself—provided always, that such object be not incompatible with the public good;—for so to use your *own rights*, as not to injure the *rights of others*, is not less the dictate of common sense and common honesty, than it is a cardinal maxim of all legitimate governments.

That national industry is best promoted by leaving every member of society free to apply his labor and his knowledge according to his own choice, exempt from all restraints, but such as the public good requires, and burthened with no tax but such as shall be both impartial and as moderate as the exigencies of the state will permit.

That according to the natural progress of society in every country favorably situated for agriculture, the class of manufactures is the last to spring up—but that it will necessarily do so, as soon as either the natural or artificial wants of the people create a demand for their labors.

That any legislative interference to force either this or any other class into existence by the strong arm of power exercised in levying taxes to support the forced class, contrary to the wishes and interests of the other members of the community, is not only bad policy, but oppression; because taxes of any kind, to be rightfully levied—should be equal; and should be imposed—not for the emolument of any one portion of society at the expense of the rest, but for the support of government alone.

That either to exclude foreign manufactures, or to tax them heavily, under the notion of improving those of domestic fabric; lessens the profits of agriculture; diminishes the public revenue, either by augmenting the number of smugglers, or by enabling the domestic manufacturer to pocket that sum which otherwise would go into the public treasury, under the form of an import duty, and at the same time secures to him the power of practising upon the community the double imposition of deteriorating his goods and selling them at a higher price, because that competition which constitutes the only security for skill, industry, and moderate prices, is either entirely removed, or so limited as not to be felt.

"That all free trade of whatever description, must be a mutual benefit to the parties engaged in it," notwithstanding the profits arising therefrom may be somewhat unequally divided; because by free trade alone, can supply and demand (the two circumstances upon which trade of every kind depends,) be kept nearly equal to each other.

"That instead of struggling against the dictates of reason and nature, and madly attempting to produce every thing at home, countries should study to direct their labors to those departments of industry for which their situation and circumstances are best adapted."

"That the use of capital should be left as much as possible to the care of those to whom it belongs, because they will be most likely discover in what line it can be employed to the greater advantage."

And that the best regulated and happiest communities are those wherein all the various trades, professions and callings, enjoy equal rights, and contribute equally to the necessary support of their

common government; but that any one should be thought to have superior claims to the fostering care of the national legislature, it should be "the tillers of the earth, the fountain head of all wealth, of all power, and of all prosperity."

The sagacious and patriotic Franklin has said, and we believe he never uttered a better or wiser remark: "that most of the statutes or acts, edicts, arrests, and placards of parliaments, princes, and states, for regulating, directing or restraining trade, have we think, been either political blunders, or jobs obtained by artful men, for private advantages under the pretence of public good."

Your petitioners have thus freely, but respectfully, endeavored to represent to your honorable body, *their view* of a policy which you are so importunately urged to adopt; but upon which we should have said nothing, having due confidence both in your willingness and ability to protect the great landed interests of our country, had we not been apprehensive, that silence might possibly be construed into consent, if all who are attached to those interests had foreborne to speak, when so clamorously and powerfully assailed. To guard against the possibility of misapprehension, we take this occasion to say, that we are incapable of feeling any thing like enmity towards either manufacturers, or any other useful description of our fellow citizens; but heartily wish them all the success to which their skill and industry may entitle them, in whatsoever way applied; provided always, that such application be not made at *our risk*, and continued at *our cost*. We will go further, and pledge ourselves to prefer whatever they may manufacture, at any time, that they will make the *price* and the *quality* the same with the quality and price of similar articles of foreign fabric.

To give more for any article simply because it is made at home, may suit the feelings of political enthusiasm, but it can never promote the interests either of individuals or of nations. To buy as cheap as you can, no matter where, and to sell as dear, is the maxim which should regulate the commerce of both; for if competition be left free, neither can be exorbitant in their demands. *We* ask no tax upon manufacturers for *our* benefit; neither do we desire any thing of government to enable us to cultivate the soil as profitably as we could wish, but to leave us free, so far as it depends on them, to carry our products to the best markets we can find, and to purchase what we want in return, on the best terms we can, either at home or abroad. We will ever support the government of our choice in all just and rightful undertakings, both with our fortunes and our lives; but we will never voluntarily contribute to maintain either manufacturers, or any other class of citizens by the payment of unequal and partial taxes; by awarding to them exclusive privileges; or by sustaining them in the enjoyment of oppressive monopolies which are ultimately to grind both us and our children after us, "into dust and ashes."—All which is respectfully submitted.

Signed by order of the society.

JAMES M. GARNETT, *Pres't.*

WM. F. GRAY, *Sec'y.*

Military Executions.

Message from the president of the United States, transmitting to the house of representatives a report of the executions which have been inflicted in the army of the United States, since the year 1815.

To the house of representatives of the United States:

In compliance with a resolution of the house of representatives of the 14th Dec. 1819, requesting me "to cause to be laid before it any information I may possess, respecting certain executions which have been inflicted in the army of the U. States, since the year 1815, contrary to the laws and regulations provided for the government of the same;" I transmit a report from the secretary of war, containing a detailed account in relation to the object of the said resolution.

JAMES MONROE.

Washington, Jan. 8th, 1820.

War department, 6th Jan. 1820.

SIR—I have caused the records of this department to be examined for all the information it possesses, "respecting certain executions or other punishments which may have been inflicted in the army since eighteen hundred and fifteen, contrary to the laws and regulations provided for the government of the same," conformably to a resolution of the house of representatives of Dec. 14th, 1819, and I now have the honor to state, that, as soon as it was reported to this department, that "col. King, of the 4th infantry, while commanding at Pensacola, had given orders to shoot down deserters if found within the limits of Florida," I directed the enclosed order (marked A.) to be sent to him. His answer to this order was received during my absence last summer. The colonel reported that such order had been given by him, and that it was given in conformity with the established usage of service, when other means of checking desertion, which had become so frequent as to threaten the total reduction of the force under his command, had failed. He also stated, that no deserter was shot during his command, but that the order was kept up by his successor, and that a man was shot by the party sent in pursuit of him. The colonel's report was made the basis of a military investigation.

The enclosed orders (marked B. and C.) were issued by this department on the 10th of August, and by the last reports the general court martial were still in session, on the 4th of December, at Cantonment Montpelier, in Alabama.

It was also reported to this department in August last, that a commissioned officer at West Point, had improperly punished several soldiers by flogging. Major Thayer, the commanding officer at that post, was immediately ordered to enquire into and report the facts. His inquiry established the fact of whipping without trial, upon which the enclosed order (marked D) was issued, and no further complaints have been made. All the other cases which are known to this department, are found among the records transmitted after they have been acted on by commanding generals, "to the end that the persons entitled thereto, may be enabled, upon application to obtain copies thereof;" and are embraced in the report of the adjutant and inspector general, herewith enclosed (marked E.)

I have the honor to be most respectfully, your obedient servant,

J. C. CALHOUN.

To the president of the United States.

A.

Adjutant and inspector general's office,
29th March, 1819.

SIR:—It has been reported to the war department from a source entitled to credit, that since you have had the command in Florida, and at Pensacola, "orders have been given to the military to shoot down deserters, if found within the limits of Florida; that such orders emanated from colonel King, military commandant, and have accordingly been executed."

The secretary of war directs, that you forthwith make a particular and detailed report, stating the orders, by whom given, by whom executed, on whom executed, and the time when executed; with such other facts as you may deem important on this subject.

I have the honor to be, sir, your obedient servant,
D. PARKER, *Adj't. & insp. gen.*

*Colonel William King, 4th infantry,
Teneau post office, Alabama.*

B.

Adj't. & insp. gen's office, August 10, 1819.

SIR—The commanding general of the south division has this day been ordered to detail and organize a general court martial, for the trial of col. William King, of the 4th infantry. You will therefore, relieve col. King in his command, put him in arrest, and direct him to remain at such place as you shall deem most convenient, to meet the orders of the general of division. You will report his arrest and station to general Jackson, as soon as practicable. By order,

D. PARKER,
Adj't. & insp. gen.

*Major gen. Gaines, U. S. army,
Augusta, Georgia.*

C.

Extract of a general order, dated

Adj. & insp. gen. office, August 10, 1819,

General order—“The commanding general of the south division will detail and organize a general court martial, as soon as practicable consistent with the interest of the service, for the trial of col. William King, of the 4th infantry. Such charges, documents and communications, as the war department possess, are herewith transmitted, to be put into the hands of the judge advocate of the south division, or such officer as may be detailed for that duty, in case he cannot attend the court.

D.

Adj. and Insp. Gen. Office, 30th September, 1819.

SIR: The president directs me to state that he has examined your report of the 2d inst. and the several communications referred to, relative to the troops attached to your command.

The corporal punishment inflicted on the men at West Point being contrary to law, is not justified by the reasons given for it. It is a cause of much regret to see an officer of merit and discernment give his sanction to a proceeding so highly improper. If evils attain an alarming height, they should be stated to the department, that such remedies as the laws authorise, and the means of the government are equal to, may be applied to them; but in no case should an officer take the remedy into his own hands, especially in a manner positively forbidden by law.

The acts are disapproved, and the president directs that you prevent their recurrence.

I have the honor to be, sir, your obedient servant,
D. PARKER, *Adj. and insp. gen.*

*To major S. Thayer,
superintendent military academy,
commanding West Point, N. York.*

E.

Adj. and Insp. gen. office, 3rd January, 1820.

SIR: On your order, requiring me to state all “executions, or other punishments which may have been inflicted in the army, since the year 1815, contrary to the laws and regulations for the government of the same,” if any such are known to have occurred, all the proceedings of the court martial on file in this office have been referred to, from which I have made the extracts herewith enclosed.

A general court martial, ordered by gen. Gaines, in February, 1816, sentenced a soldier to receive *fifty cobbs or lashes on his bare skin*. The sentence was confirmed, but by the orders of the general in other cases, of which extracts are enclosed, pointedly disapproving whipping, it appears that he makes a distinction between cobbs, and “stripes and lashes,” which last are only mentioned in the act of May 16, 1812, repealing a part of the 87th article of the rules and articles of war.

It also appears, that, soon after the peace, two general courts martial, ordered by general Macomb, sentenced several soldiers to receive *fifty lashes each*, which sentences were approved by the general and ordered to be carried into effect. As such sentences have not since occurred, it is presumed that an impression prevailed in that command at that time, that the act fixing the peace establishment, by generally repealing the laws enacted during the late war, restored the provision which authorised punishment by stripes and lashes before the war.

These are the only cases I have been able to find on record: and it will be observed that all, except that of major McGlassin, were within the jurisdiction of the commanding generals, and never came up to the war department, but as a place of deposit for the records of courts, “to the end that the persons entitled thereto may be enabled, upon application, to obtain copies thereof.” In this case the sentence of the court was approved by the president, and the major was accordingly dismissed the service.

I have the honor to be sir, with perfect respect, your obed't serv't,

D. PARKER, *Adj't and insp. gen.*

To the secretary of war,

Illegal introduction of Slaves.

Letter from the secretary of the navy to the speaker of the house of representatives.

NAVY DEPARTMENT, Jan. 6th, 1820.

SIR: In obedience to a resolution of the house of representatives of the 31st December last, requiring the secretary of the navy to furnish copies of such communications he may have received since 1816, and such information as he may possess in relation to the introduction of slaves into the U. S. with a statement of the measures adopted to prevent the same: I have the honor to transmit sundry extracts of letters, numbered 1 to 4, inclusively, comprising all the information communicated to this department since 1816, in relation to the introduction of slaves into the United States.

I have the honor to refer the house of representatives to my report of the 9th Jan 1819, on this subject; and I transmit, herewith, paper marked A. which contains that part of the instructions from this department to the commanding naval officers in relation to slave vessels.

The public vessels now cruising, have not yet reported their operations, nor is it known that any seizures have been made by them.

I have the honor to be, with the highest respect, sir, your most obedient servant,

SMITH THOMPSON.

The Speaker of the house of representatives.

No. 1.

Extract of a letter from capt. Charles Morris, to the secretary of the navy, dated

United States frigate Congress,

Off the Balize, 10th June, 1817.

“Most of the goods carried to Galveston, are introduced into the United States; the more bulky

and least valuable, regularly through the custom house; the more valuable, and the slaves are smuggled in through the numerous inlets to the westward, where the people are but too much disposed to render them every possible assistance. Several hundred slaves are now at Galvezton, and persons have gone from N. Orleans to purchase them. Every exertion will be made to intercept them, but I have little hope of success."

No. 2.

Extract of a letter from lieut. commandant John Porter, to the secretary of the navy, dated

U. S. brig Boxer,

Off the Balize, June 28th, 1817.

"I shall leave this on Monday to cruise off the Sabine river; it is reported that attempts will be made to smuggle slaves into Louisiana from Galvezton, and the natural presumption is, that they will attempt the Sabine or the Atchafalya rivers; the depth of the water off those rivers is very inaccurately represented on the charts, and it will not be in my power to approach nearer the shore than within ten miles of the Sabine, and not nearer than thirty off the Atchafalya. Whatever can be done to prevent their being brought clandestinely into the country, will have to be performed by the boats, which, sir, shall be actively employed the moment we arrive on the ground."

No. 3.

Extract of a letter from captain John D. Henley, to the secretary of the navy, dated

U. S. ship John Adams,

Amelia Sound, January 24, 1818.

"I yesterday detained the English brig Neptune, of London, for a violation of the slave act: by her papers it appears that she cleared from Jamaica for this port, with a small quantity of rum and eight convict slaves, sentenced to transportation for various offences. It is evident that their object was to smuggle them into the state of Georgia; thus making a Botany Bay of the United States.—I shall send her to Savannah for trial."

No. 4.

Extract of a letter from captain John D. Henley, to the secretary of the navy, dated

U. S. ship John Adams,

Cumberland Sound, March 27, 1818.

"It would be gratifying to me to know how far the commissions granted by Aury or McGregor to vessels, evidently commanded and manned by citizens of the United States, are to be respected. I have not the smallest doubt, from the situation those pirates have fixed upon for their rendezvous, that the goods found in their prizes will be disposed of principally in the United States, and that the part which may consist of slaves will be smuggled into Georgia, as many of the inhabitants are too much inclined to afford every facility to this species of illicit trade."

A.

Extract from the instructions of the navy department to the commanders of all U. States' vessels, cruising in the Atlantic Ocean, Gulf of Mexico, &c.

"You have also enclosed, such parts of several acts of congress, prohibiting the importation of slaves into any ports or places, within the jurisdiction of the United States, as are necessary to point out to you your duty and authority under these laws: and it is expected and required of you by the president, that a strict and vigilant attention be paid to the direction therein contained, that, if possible, this inhuman and disgraceful traffic may be suppressed,

By the act of the 20th of April, 1818, you will perceive, that it is made unlawful to import or bring in any manner whatsoever into the United States or territories thereof, from any foreign kingdom, place, or country, any negro, mulatto, or person of color, with intention to hold, sell, or dispose of such person as a slave, or to be held to service.

By this act it is also made unlawful for any citizens of the United States, or other person, to build, equip, load, fit, or otherwise prepare, any ship or vessel, in any port or place within the jurisdiction of the United States, or to cause any such ship or vessel to sail from any port or place whatsoever, within the jurisdiction of the United States, for the purpose of procuring and transporting any such slaves to any port or place whatever. And any ship or vessel employed in such importation of slaves, or so built, fitted out, or prepared, is liable to be seized and forfeited. And by the act of the 3d of March, 1819, the president is authorised to employ any of the armed vessels of the United States, to cruise in such places as he may think proper, where he may judge attempts may be made to carry on the slave trade by the citizens or residents of the United States, in contravention of the acts of congress prohibiting the same; and to instruct such armed vessels to seize, take, and bring into any port of the United States, to be proceeded against according to law, all ships or vessels of the United States, wheresoever found, which may have taken on board, or which may be intended for the purpose of taking on board, or of transporting, or may have transported, any negro, mulatto, or person of color, in violation of any of the provisions of the act of the 20th April, 1818, above referred to, or in violation of any other act or acts prohibiting the traffic in slaves.

You will perceive from the generality of the provisions in these laws, you are authorised to take and bring in all ships or vessels of the U. States, which may have been in any manner employed or intended to be employed in the slave trade; or any other vessel offending against the provisions of any of the laws you have enclosed. You will particularly notice the two provisos to the first section of the act of 1819; the first of which directs in what manner you are to keep and dispose of the slaves which may be found on board of any ship or vessel seized by you. If brought within the United States, they are to be delivered to the marshal of the district where brought in, and transmit the evidence of such delivery to this department. Upon the capture, therefore, of any vessel having slaves on board, you will immediately proceed to the island of Sherbro, on the coast of Africa, and deliver such slaves to the agent appointed by the president to receive them, pursuant to the provisions of the act, or to any other agent so appointed, at any other place on the coast of Africa. The second proviso relates to the disposition of the officers and crews of such vessels so captured by you. Great vigilance will be expected from you, in the safe keeping of all such officers and crews, until they shall be handed over to the civil authority, to be proceeded against according to law."

"P. S. No provision having as yet been made for the reception of slaves upon the coast of Africa, you will, for the present, and until ordered otherwise, consider the foregoing orders relative to the disposition of such slaves as you may capture, so far modified, that you will deliver them on Smith's Island, at the mouth of the Chesapeake bay, to such agents as may be appointed by the president to receive them there."

Letter from the secretary of the treasury, transmitting, in obedience to a resolution of the house of representatives, of the 31st ultimo, information in relation to the illicit introduction of slaves into the U. States: with a statement of the measures which have been taken to prevent the same.

Treasury department, Jan 11, 1820.

SIR—In obedience to a resolution of the house of representatives, of the 31st ultimo, directing the secretary of the treasury to lay before the house "copies of such communications as he may have received, since 1816, and such information as he may possess, in relation to the illicit introduction of slaves into the United States, with a statement of the measures adopted to prevent the same," I have the honor to submit the enclosed letters, from different collectors of the customs, to this department.

It appears, from an examination of the records of this office, that no particular instructions have ever been given, by the secretary of the treasury, under the original or supplementary acts prohibiting the introduction of slaves into the U. States.

The general practice of the department has been to confine its attention, and to limit its instructions, to cases arising under the revenue laws, except where, by directions of the president of the United States, the superintendence of other laws has been specially required of it. No such duty has, in relation to the laws prohibiting the introduction of slaves into the U. States, been required of the secretary of the treasury.

His letter to the war and navy departments, of the 16th July, 1817, a copy of which is also enclosed, was written during the absence of the president, under circumstances which did not admit of the delay necessary to obtain his direction and instruction. An additional reason for writing that letter may be found in the fact that the other heads of department were absent; and the officers exercising their functions, provisionally, were unwilling to incur the responsibility of the measures required by the occasion.

I have the honor to be, your most obedient servant,
WM. H. CRAWFORD,
The honorable HENRY CLAY,
speaker of the house of representatives.

Treasury department, July 16, 1817.

SIR—From information recently received by this department, there is just reason to believe that sir Gregor McGregor has taken military possession of Amelia Island, in the name of the Spanish patriots. Considering that the restless and adventurous of all nations, and especially of the island of St. Domingo, have ranged themselves under the banners of the different leaders, by sea and land, who are engaged in the civil war now raging between Spain and her colonies, and that the port of Fernandina will necessarily become the common rendezvous of all the vessels sailing under the various flags of the Spanish provinces which have declared themselves independent, apprehensions are justly entertained by the citizens of the southern section of the state of Georgia, that their peace and tranquility will be disturbed, and their rights infringed, unless protected by the presence of a force sufficient to command respect from the troops thus expected to be congregated in their immediate neighborhood.

In addition to the circumstances already communicated, the disposition which has been manifested by the vessels of Spain, engaged in the African slave trade, to introduce, illicitly, into that section of the union, the persons who, in the prosecution of their traffic, have been subjected to their con-

trol, seems to require the presence of a force sufficient to enforce the due execution of the laws against the introduction of slaves into the United States. From the known character and conduct of the leader of the enterprise against Amelia Island, there is just ground to apprehend that this illicit traffic, if continued, will, under his auspices, assume a bolder character; and if abandoned, that it will be substituted by measures equally derogatory to the laws, and more destructive of the rights and interests of the citizens of the eastern section of the southern states. To guard against the unlawful introduction of slaves, and to repress any attempt that may be made by the foreign belligerent force, collected in that neighborhood, to excite domestic insurrection among the blacks, it appears to me to be absolutely necessary that a land and naval force be stationed at St. Mary's.

As the portion of East Florida immediately bordering on the United States, is but partially, if at all inhabited, the entrance of vessels into the river St. Mary's, freighted with slaves, can have no other object than the violation of our laws, by covertly introducing a population which is prohibited. Under such circumstances, and especially, when the imbecility or indisposition of the local authorities to preserve the accustomed relations between independent states are considered, and above all, the odious character of the traffic intended to be restrained, the seizure of every vessel freighted with slaves which shall be found in the river St. Mary's, or hovering upon our coast, is respectfully submitted. I have the honor to be, &c.

WM. H. CRAWFORD.

The secretaries of war, and the navy.

Extract of a letter from the deputy collector of Nova Iberia, to the secretary of the treasury, dated July 9th, 1818.

"By Mr. Dick's advice, last summer, I got out state warrants, and had negroes seized to the number of eighteen; which were a part of those stolen out of the custody of the coroner, and the balance condemned by the district judge of the state; and the informers received their part of the nett proceeds from the state treasurer. Five negroes that were seized about the same time, were tried at Opelousas, in May last, by the same judge: he decided that some Spaniards (that were supposed to have set up a sham claim, stating that the negroes had been stolen from them on the high seas) should have the negroes, and that the persons that seized them should pay one half of the costs, and the state of Louisiana the other. This decision had such an effect as to render it almost impossible for me to obtain any assistance in that part of the country. There has been lately up the Bayou Nementou two schooners from Galveston; they sold a part of their cargoes and deposited the balance, and I could get no assistance to take them. I made two seizures of wine, a part of one of the cargoes, in the neighborhood of the Vermillion bridge, about 20 miles to the westward of this place. I summoned assistance, a part of which refused to assist, a part deserted while guarding the property, and the balance not being sufficiently strong to protect it, it was taken from them the ensuing night. The smugglers had forcibly prevented our removing the property in the day time."

Collector's office, dis. of Brunswick, Geo.

Port of Darien, July 5th, 1818.

SIR—On the 14th March, I did myself the honor to address you on the subject of Africans illicitly

introduced into the United States. Not being favored with a reply, it may be proper for me to state, that, a demand being subsequently made by the executive of this state for all such Africans in my possession, in compliance therewith, I delivered over to his agent ninety-one negroes.

I have the honor to be, &c.

W. I. M'INTOSH, Collector.

*The honorable Wm. H. Crawford,
Secretary of the treasury.*

Extract of a letter from the collector of New Orleans to the secretary of the treasury, dated April 17th, 1818.

"It has been stated to me, on the authority of a letter to a respectable gentleman of this city, that there were three schooners laying in the river Merineaut, belonging to commodore Aury's squadron, smuggling their cargoes on shore.—The audacity of the piratical set, since they find Galvezton has not been, and, as the say, will not be suppressed, knows no bounds. In order to keep them somewhat more in check, and to defeat their nefarious schemes as far as in my power, until government aid us with such force as it may deem best suited to the purpose, I have determined to station an additional revenue boat and crews, with an active and enterprising officer, at and near fort St. Philip, and to increase the crew of the boats at the Balize and fort St. John. It will, I think, render their operations a little more difficult, and I confidently rely on your approbation. The additional expense can be no consideration. But no efforts of the officers of the customs alone can be effectual in preventing the introduction of Africans from the westward; to put a stop to that traffic, a naval force suitable to those waters is indispensable, and vessels captured with slaves ought not to be brought to this port, but sent to some other in the United States for adjudication. Enclosed you will also find an act passed by the legislature of this state, respecting slaves imported in violation of the laws of congress, of 2nd March, 1807. The object and policy of this law require no comment from me. Vast numbers of slaves will be introduced to an alarming extent, unless prompt and effectual measures are adopted by the general government.

"The master of an American schooner from Havana reports, that he was offered a full freight of Africans for this river, which he refused."

Collector's office, Dis. of Brunswick, Geo.

Port of Darien, March 14, 1818.

Sir: I had the honor to address you per last mail, and to enclose you papers respecting 47 African negroes, taken by the surveyor of Darien, from one Jared E. Groce, on their way to the Alabama territory, through the Indian nation, and 41 others at the Creek agency, from the negro houses of the agent for Indian affairs. It is a painful duty, sir, to express to you, that I am in possession of undoubted information, that African and West India negroes are almost daily illicitly introduced into Georgia, for sale or settlement, or passing through it to the territories of the United States, for similar purposes: these facts are notorious; and it is not unusual to see such negroes in the streets of St. Mary's, and such too, recently captured by our vessels of war, and ordered to Savannah, were illegally bartered by hundreds in that city; for this bartering or bonding, (as it is called, but in reality selling,) actually took place before any decision was passed by the court respecting them. I cannot but again express to you, sir, that these irregularities and mocking of the laws, by men who understand them, and who,

it was presumed, would have respected them, are such that it requires the immediate interposition of congress to effect a suppression of this traffic; for, as things are, should a faithful officer of government apprehend such negroes, to avoid the penalties imposed by the laws, the proprietors disclaim them, and some agent of the executive demands a delivery of the same to him, who may employ them as he pleases, or effect a sale by way of a bond for the restoration of the negroes when legally called on so to do; which bond, it is understood, is to be forfeited, as the amount of the bond is so much less than the value of the property. And again, sir, an officer disposed to perform his trust with fidelity, is placed at the mercy of the state; for, to carry the intention of the federal laws into execution, great expenses may be incurred, and for which the state seems not to have made any provision; but has, by its own law of the last session of the legislature, invested the executive with the power of becoming a speculator on the exertions and integrity of such federal officers as feel the weight of their responsibility, and who are willing to perform their duty. For instance, sir, after much fatigue, peril, and expense, 88 Africans are seized and brought by the surveyor to Darien; they are demanded immediately by the governor's agent. Notwithstanding the knowledge which his excellency had, that these very Africans were for some weeks within 60 miles of his excellency's residence, (the seat of government,) there was no effort, no stir made by him, his agents, or subordinate officers, to carry the laws into execution; but no sooner than it was understood that a seizure had been effected by an officer of the United States, a demand is made for them; and it is not difficult to perceive, by a compliance, that the very aggressors may, by a forfeiture of the mock bond, be again placed in possession of the smuggled property, at but little additional expense to them, but at the entire ruin of the officers who had executed, with fidelity, the laws they felt bound to observe. There are many negroes (independent of those mentioned as having been bartered in Savannah, &c. before any decision had passed respecting them,) recently introduced into this state and the Alabama territory, and which can be apprehended. The undertaking would be great; but to be sensible that we shall possess your approbation, and that we are carrying the views and wishes of the government into execution, is all we wish, and it shall be done, independently of every personal consideration.

I have, &c.

WM. I. M'INTOSH, collector.

*The hon. W. H. Crawford,
secretary of the treasury.*

Collector's office,
Savannah, 25th November, 1817.

Sir: I have the honor of informing you that the schooner Tentativa, reported to be under Spanish colors, with one hundred and twenty eight slaves on board, was brought into this port on the 19th inst. by a part of the crew of the U. S. vessel the Saranac, John H. Elton, commander, having been captured by said vessel, and at the time abandoned by her crew. The Tentativa has been libelled by the proctor for the captors; and the slaves, by order of the court, delivered over to the proctor for the captors and the collector of this port, to be taken care of by them, until demanded by the competent authority. This order was procured by the proctor for the captors, with a view of preserving the

lives of the slaves, they being destitute of provisions and clothing, and must have perished had they been longer at sea. Four of them have already died, but the remaining part of them have been so disposed of as to insure comfort to them for the present. Under the order of the court, and the influence of humanity, it appears to be my duty to interest myself for the sufferers; and, having an estate near the city, I enquired of my agent how many of these people he could accommodate with house-room, and upon his statement I have taken possession of forty in number, all of whom I have clothed, and shall continue otherwise to succor, until demanded by the competent authority.

I have, &c.

A. S. BULLOCK, collector.

*The hon. Wm. H. Crawford,
secretary of the treasury.*

Extract of a letter from the deputy collector of Nova Iberia to the secretary of the treasury, dated Sept. 27th, 1818.

"On the 8th of July last, captain Amelung, with eighteen of his company, agreed to go with me to the Bayou Nementou, to suppress smuggling. On the day and succeeding night after our arrival there, we took thirteen prisoners that came armed to support smugglers, &c. The next day we took one of their vessels; set some hands to work in repairing her, and captain Amelung returned to Nova Iberia for the balance of his company; returned with them, and we proceeded on with twenty five men to the Bayou Cureuseau. On our arrival there we made more prisoners; seized three African negroes, two vessels, and part of their cargoes. Runners had been sent ahead of us, and five or six vessels run out of the Bayou a few days prior to our arrival there. A large number of African negroes had been on that Bayou, eighty of which left there a short time before our arrival, and about twenty passed us the night before we arrived. We proceeded down the Cureuseau, and came round to the Bayou Nementou. Captain Amelung furnished me with a lieutenant and eighteen men, and returned by land to Nova Iberia with the balance of his company. We proceeded with the vessels down the Nementou; met a feluche, commanded by one of Lafitte's captains, off the mouth of the Bayou. The captain took us for smugglers: we got him on board one of our vessels, and, notwithstanding his directing his men in French, when he left his own vessel, to cut their cable if he did not return with the boat, run down our boat, and kill every man on board, we boarded her after they cut their cable, and took her without the loss of one man. Her cargo consists of coffee, cocoa, refined wax for candles, oil, dry goods, and about 10,000lbs of quicksilver. I arrived here yesterday, having suffered much. During the line storm we lost three anchors, sprung one mast, carried away our yards and sails. I left the vessels in the Vermillion bay; shall start immediately to bring them round to this place. If there was one small cutter on this coast, she would be of great service."

Collector's office,
Savannah, 22d May, 1817.

SIR—I have just received information from a source on which I can implicitly rely, that it has already become the practice to introduce into the state of Georgia, across the St. Mary's river, from Amelia Island, East Florida, Africans, who have

been carried into the port of Fernandina, subsequent to the capture of it by the patriot army, now in possession of it.

As this species of traffic may be carried on for an indefinite period of time, without the interposition of government, I have deemed it my duty to give you the earliest advice of it.

Immediately after the receipt of your letter of the 19th March last, I instructed captain Smith to cruise with the Cutter to the southward as far as St. Mary's bar, with a view of preventing the landing of such people on the sea board; but it is not in his power to guard the St. Mary's, which is the route for the introduction of them. It becomes more necessary for a guard to be organized by government, as this state has never legislated on the subject of the importation of slaves; were the legislature to pass an act giving compensation in some manner to informers, it would have a tendency, in a great degree, to prevent the practice: as the thing now is, no citizen will take the trouble of searching for and detecting the slaves. I further understand, that the evil will not be confined altogether to Africans, but will be extended to the worst class of West India slaves. I am, &c.

A. S. BULLOCK, Collector.

*The honorable Wm. H. CRAWFORD,
Secretary of the treasury.*

Collector's office, Port of Mobile,
October 7th, 1818.

SIR—It is understood that judge Webb, one of the judges of this territory, has resigned. Permit me, sir, to suggest the importance of an early appointment to the vacancy, in order that the person appointed might be present at the next session of the general court, on the first Monday of January next. There are now pending before that court a number of cases of very great importance to the public interest, particularly those of the three vessels, their cargoes, and upwards of one hundred slaves.

I hope the attorney of the United States has informed the treasury department of the proceedings of the court in these cases, not having seen him since, I have not attempted a statement of proceedings, to me, so very strange. This, however, appears certain, that the vessels and cargoes and the slaves have been delivered on bonds, the former to the owners, and the slaves to three other persons. The grand jury found true bills against the owners of the vessels, masters, and a supercargo—all of whom are discharged; why or wherefore I cannot say, except that it could not be for want of proof against them.

It is certainly a matter of great importance that these cases be stamped with the full force of the law, to prevent future importations. Two of the vessels were cleared at Havana for New-Orleans, and one for this port; and all American registered vessels, the former at New-Orleans, the latter at this port.

Perhaps the magnitude and importance of these cases would render it expedient to employ additional counsel, in aid of the United States' attorney, as he will be opposed by able lawyers from New-Orleans. Should you deem this proper, be pleased, sir, to direct the sum which may be allowed.

I have the honor to be, &c.

ADDIN LEWIS, Collector.

*The hon. Wm. H. CRAWFORD,
Secretary of the treasury.*

NILES' WEEKLY REGISTER.

NEW SERIES. No. 22—VOL. V.] BALTIMORE, JAN'Y 29, 1820. [No. 22—VOL. XVII. WHOLE No. 438

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

We have the pleasure to present our readers with a SUPPLEMENT of eight pages to the present number, by which we have been enabled to dispose of a large quantity of interesting matter.

The states. It is not to be expected that we can first convey to the people of a state the messages and speeches, &c. of their own governors. But so far as these things belong to what may be called a history of the proceedings of a state, they become matters for record and reference. Hence we have always been careful to preserve them, and an opening now presenting itself, we have given place to two such articles on hand in the order in which the states are commonly classed, and shall dispose of the rest as fast as we can.

Congress. We hear very loud encomiums on the speech delivered by Mr. Pinkney, in the senate of the United States, on Friday and Monday last. No doubt, he has said all that can be said against the imposition of restrictions on Missouri, and with a powerful and magnificent oratory rarely equalled, and hardly to be excelled. Every part of the senate chamber, not immediately occupied by the members, was filled with auditors—ladies, and members of the house of representatives and citizens. We stand prepared to give some of the chief speeches on this subject an insertion,—as soon as they reach us.

Prompt payment of duties. It is noticed in the proceedings of the house of representatives, of the 19th inst. that Mr. Baldwin, from the committee on manufactures, reported a bill for regulating the payment of duties on merchandise imported and for other purposes. The first section of the bill is as follows:

That, from and after the day of next, the duties laid on all goods, wares, and merchandise, imported into the United States, except dying drugs, and materials for composing dyes, gum arabic, gum senegal, and all articles used solely for medicinal purposes, cassia, cinnamon, cloves, chocolate, cocoa, coffee, indigo, mace, molasses, nutmegs, pepper, pimento, salt, ochre, sugar, tea,

shall be paid before a permit shall be granted for landing the same, excepting such goods, wares and merchandise, as may in the manner hereinafter mentioned, be entered for exportation, or deposited in store houses.

The rest of the bill, which is a long one, makes provision for drawback on exportation, the storage of goods, &c.

Auctions.—The bill reported by the committee on manufactures, for laying duties on sales at auctions, is very long, and apparently drawn up with great care. It seems to us that, if passed, it will effectually prevent those forced sales so heavily complained of by, and so detrimental to, all regular traders, as well as manufacturers. The tax is rated at ten per cent. on sales at auction of the following articles, except sold on execution, distress, or in consequence of a bankruptcy, &c.—viz: on woolen, cotton, and linen manufactures of all descriptions, or of which wool, flax or cotton, or either, is the material of chief value, glass, of all kinds, iron, steel, hemp, cordage, tarred or untarred, twine, silks, nankeens, ready-made clothing, all articles manu-

factured from iron, steel, copper, brass, pewter, lead or tin, or of which these metals, or either of them, is the material of chief value, china ware, earthen ware, stone ware, musical instruments, hats, caps and bonnets of all kinds, umbrellas and parasols, dressed or tanned skins, cabinet wares, leather and all manufactures of wood or leather, or of which leather is the article of chief value, paper, of every description, and all articles of the above description in part manufactured, printed books, cork, gold-leaf, &c.

A blank is left for the insertion of other articles. On goods of American manufacture, the duty is to be one per cent. On all goods not enumerated, at the rate of two per cent.

United States bank vs. the state of Ohio. We noticed in our last, the discharge of Harper and Orr for the reason that they had been illegally arrested. On Thursday last, says the Chillicothe Supporter of the 12th inst. "Mr. Greer moved the circuit court for a rule on the defendant and John L. Harper, to shew cause on yesterday, why they should not be attached, for contempt of court, in disobeying the injunction granted in this case at the Sept. term last. Yesterday, J. C. Wright, esq. read the affidavits of Osborn and Harper in answer to the rule, and proceeded in a brief view of the transaction, to vindicate the conduct of these officers in their proceedings. After he had closed, at the suggestion of the plaintiff's counsel, and by consent on the other side, the further argument was postponed until this day."

Foreign news. We are still without information from Europe of later dates than those given in the REGISTER of the 1st inst.

GENERAL PUTNAM.—The last volume of the "Port Folio" is enriched with a fine engraving of this veteran, from an original picture by Trumbull. We were truly gratified with the opportunity afforded to examine the features of this remarkable man, and admitting the likeness to be a correct one, few ever had a more honest front than he. It happily accords with the idea that we entertained of his character.

REPUBLICAN MANNERS.—A gentleman, who lately visited the Athenaeum at Boston, told us, that he saw a book there, on the title page of which was written these words, by the hand of Mr. Jefferson—

"From Thomas Jefferson to his friend John Adams."

Now, to my way of thinking, all the flowers of rhetoric might be culled, and yet be wanting of the "sublime and beautiful" that irresistibly attaches itself to this little sentence—"Thomas Jefferson to his friend John Adams." It affords a practical result of our glorious system of government, more "precious than rubies." It is a diamond of the finest water, which the republican should hug to his bosom as a rich legacy to his children and his children's children "to the thousandth generation"—an evidence in favor of the simplicity of the truth never to be parted with, while the mighty Mississippi rolls her floods to the ocean! It is worthy of the best days of Greek or Roman history; and there is, doubtless, a sincerity in it that Greece or Rome hardly knew to exist between men so illustrious. The time has passed away in which either of those venerable men can be regarded as at the head of a

party in the state, however much they were once opposed. They are preparing "for another and a better world;" but, like the patriarchs of old, with joyous hearts, survey the rich fruits of independence, planted by their toil and nurtured by their care. Passion has long ceased to influence either; oblivion has passed over their political differences of opinion; ancient friendships are renewed, and a spirit of harmony and reciprocal esteem prevails in each bosom.

What a magnificent sentence—"from Thomas Jefferson to his friend John Adams!" Let us consider how great a space those men have filled in the world. Each has been the rallying point of simultaneously contending parties—each filled the highest office in the gift of the only free people existing, to relieve the sombre despotism of the civilized world. Each has lived to see his early vows to the republic fulfilled; and their present good understanding affords us a delightful proof of the inestimable aphorism, that "a difference of opinion is not a difference of principle."

What are now John Adams and Thomas Jefferson, so recently the leading politicians of the day, the heads of mighty parties?—private citizens, wholly abstracted from the bustle of the times, and leaning on their good intentions, like Jacob on his staff, to offer up thanksgivings to the Most High for the benefits which He has been pleased to bestow upon their beloved country! Neither holds a court, or is courted with sinister views; for it is well understood that both have retired from the influence that might have attached itself to them;—but the trace of their footsteps are as blessed by a grateful people, and a good old age has come upon them in peace!

May we imitate the plainness and sincerity of this little sentence! What could ten thousand high-sounding titles add to the reputation, or contribute to the internal satisfaction of these sages? Yet we practice them, and there are hundreds of little things among us, creatures of the moment—here to-day and gone to-morrow and forgotten, who feel insulted if they are not called of men *honorable*, written at full length, as if the title made them so. I believe I never wrote this word, as prefixed to a man's name, but once, and think that, while I preserve my reason and sense of moral *honesty*, I never will write it again, to a fellow citizen.

It would not do any harm if there was much more of this magnificent simplicity at the seat of government, where comfort is often sacrificed to form, and chilling etiquette keeps back from those in office the very persons that they ought to have familiar communication with. It is the yeomanry of the country, who are to carry to the chiefs of the government, the feelings and wishes of the nation; but they are frozen by the ceremony of their introduction to men in power—congressmen and others. It is hateful even to some who *seemingly* exact it—because it is "*the rule*." Why not abrogate the rule, and, while impertinent intrusion is kept at a distance, receive honest worth on the level, as man should receive man? A little anecdote, which I have recently heard, may illustrate this remark—a certain gentleman, who now is a quaker, or at least conforms to many of their manners, a veteran of the revolution, and one of Mr. Monroe's earliest friends, having business at Washington, was specially sent for by the president who had not seen him for more than forty years. The old man went to the president's house, he was met in the hall by the servants, who separately asked him for his cane, his coat and his hat. The latter he would not part with, and it was intimated to him that he could not go into the

president's room unless he dispossessed himself of it; but he observed, "if he could not go in, he could go out," and began to prepare for his departure. Then it was said, he might go in with his hat on, if he was willing to risk it! He was willing, and entered, and was received by the president as a true friend ought to be received; and they had a very interesting interview, grateful to one another. How much pleasure was nearly denied to Mr. Monroe for a matter of form!—for, if the sturdy old republican had once left the house, they never could have prevailed upon him to enter it again!

All mere ceremonies are easy, and, even in matters of the highest import, become mechanical to those accustomed to perform them daily—but are always irksome to those who never went through them—nor do they form any part of our habits of thinking and acting, as conformable to the nature of our institutions. I am apprehensive that they are on the increase, though well convinced that they are not desired by the president himself, and others, that I could name. But they are *fashionable*; and it is easier to correct a positive vice than to do away an idle fashion. This fashion keeps no one from the presence of influential persons who has sinister designs to accomplish, but checks the warm flow of the blood with which an honest farmer or mechanic would meet his own elected rulers, and prevents that freedom of discussion by which truth is manifested. Let us all endeavor to imitate the simplicity and frankness of Jefferson—under this solemn assurance, that the further we are removed from this plainness, the greater is the danger of despotism. I am very far from being an enemy to what are called the elegancies of life, and am quite willing that, if a couple of dancing masters meet, they should bow to each other, "according to rule," for half an hour before they approached near enough to touch the tip of each other's finger, as the *sign* of shaking hands! Let those enjoy it who can, and practice it who may but it is not the *manner* in which sincerity is shewn, or good fellowship promoted. The homage of the heart, such as the republican will feel in reading the *text* of this article, is worth more than all the forms of etiquette ever devised. It is as a rock in the midst of the sea—faction assails it vain; it is *principle* only that takes effect upon it. The tide of popularity may rise and fall, but the foundation is not to be shaken.

On a certain occasion, I thought of the Roman matron *Cornelia*, and HER JEWELS—of which I may say more hereafter.

THE SLAVE QUESTION. Congress having now fairly grappled with this giant question, I shall not say any thing of its merits—but on the *manner* in which it has been so far managed, a few remarks may be proper. The debate will probably, last several weeks, and the result is uncertain; but it seems to be a general opinion, that the senate will pass the bill for the admission of Missouri, without restriction, to which the house of representatives will not agree. At the last session, it will be recollected that the clause to prohibit slavery in the proposed state, was carried by a vote of eighty-seven to seventy-six—the present is a new congress, but it is believed that the principle contended for has more supporters in the house of representatives now than it had then. The disagreeing vote, it is thought, will bring about a compromise, of the *nature* of the bill offered by Mr. Thomas, in the senate on the 18th inst. (see page 348), by which certain parts of the territory of the United States will be kept open for settlement by free white laborers, and a line be

drawn beyond which slavery shall not extend. "There is no doubt of the power of congress to prohibit the introduction of slaves into the territories of the United States; and, if these territories are once settled by persons not holding slaves, it is supposed that they will not suffer them to be introduced. Such are the opinions of many intelligent gentlemen. I am severely opposed to the idea, generally, of drawing a line within the U. States—it would seem to establish different interests, and create the worst sort of parties that we can possibly have; but, as the principle of compromise was adopted at the formation of the constitution, perhaps we may resort to it again with equal success.

It is well that the debate commenced in the senate—the proceedings of that dignified body will prepare the popular branch of the legislature to take up the subject deliberately. It is a matter on which honest men may honestly differ in opinion, and all should recollect that "truth is a victor without violence." This question, of all others ever presented to the consideration of an American congress, requires a reining-in of the passions, a cool judgment, generous forbearance and suavity of manners. A great deal may be said on both sides, but it is the *reason* of the nation that must be appealed to.

If it is the constitution that Missouri shall be admitted without restriction, with the certainty that her slave population will be represented on the floor of congress, as the political evil—in the firm belief that such admission will perpetuate the great acknowledged evil: of our country, as the more serious moral offence—*let the territory be so admitted!* We would adhere to the bond of union at almost any sacrifice, for no evil can be so terrible to the republic as domestic commotion. But on the contrary, if the constitution authorises the prohibition of slavery therein, and a majority of the representatives of the people deem it also expedient to prohibit it—why should not those opposed to restriction, evidently *much* in the minority of the nation, in like manner give way? Certainly, they will do it.

The district of Maine, with a population of three hundred thousand free persons, having with the consent of her parent Massachusetts, established a constitution for herself, has knocked at the door to be admitted into the family of the republic. The house of representatives passed a bill for her reception—there was no possible objection to the proceeding—it was a natural course of things. The territory of Missouri also, a newly acquired country, without the original limits of the U. States, with a free population not much, if any more than an eighth part of that of Maine, and without yet having formed a constitution, in like manner applied for admission, and to have equal power in the most stable branch of the government as the great state of New York. Even if we admit that the plea of Missouri is *really* bottomed on the same constitutional principles as that of the district of Maine, still it appears to me, that the act of the senate, which united their fate in one bill, was exceedingly injudicious, and opposed to that spirit of moderation and forbearance which the occasion demands. All agree that Maine ought to be admitted into the union—her constitution is before us, and no one can object to it; but Missouri (differently situated in many respects, her application having been rejected by the representatives of the people in the last congress, unless with a restriction in regard to slavery), it was well known would become a subject of much discus-

sion. It seems as if the senate had said to the house, we will prevent you from doing a *right*, unless you will join us in doing what *you* believe to be a *wrong*! But the senate, considering that the merit in either case was the *same*, are justified in the right of uniting them, though the propriety of exercising that right may be questioned. It is folly to believe that the high-minded men who compose this body, can have contemplated that such a course would influence the conduct of those representatives from Massachusetts, in the other house, whose location is in the district of Maine—or, that they had resolved to keep out the senators from Maine, until the slave question was disposed of, admitting that it may be laid over to another session. These things have been suggested by some—but I should feel my country disgraced, if I could believe that such a despicable species of management had entered the senate of United States. I speak freely—I do *not* believe that it has; yet it is to be regretted, at a time when firmness with forbearance is to much needed, that there was not a bill for *each* state.

There is another thing that may be mentioned. Some very singular and rude insinuations are made against the friends of restriction on Missouri, as if they were influenced rather by party than by principle. If the late vote in the senate proves any thing, it proves exactly the *reverse* of this. The senators from the slave holding states were *unanimously* opposed to the restriction—but, one from *New Hampshire*, one from *Vermont*, one from *Indiana* and two from *Illinois*, all non slave holding states, voted with them. Now, if party operates rather than principle, on which side does the party appear? If the division had been made by parties—that is, if those representing the states in the senate possessed of one general feeling, had been fairly arrayed against the others, and Mr. King, from New York, had been present, the vote on a *separation* of the subjects of the bill providing for the admission of Maine and Missouri, would have stood as 24 is to 20, instead of as 18 to 25. Further—we may venture to say, that in the non slave holding states there is not more than one man in 500 who is not opposed to the extension of slavery; whereas in some of the others, there is perhaps barely a majority in favor of it—the *laboring* white man of every state will oppose it, as shutting up a door to a change of his location, or that of his children. In Maryland, I verily believe, that on an *unbiased* vote, a large majority of the citizens would shew themselves unfriendly to it, and numerous letters from the western parts of Virginia, assure us that therein exists a very powerful *opposition* to a spread of the evil—and the same feeling I apprehend, prevails more or less in every one of the southern states. I notice these things simply with the hope of checking some illiberal aspersions that I have heard. It is not by these, or by force, that truth is to be ascertained. Let us "keep cool"—and have respect for each other's judgment. I feel that I have as good a right to my opinion as the president of the United States, and admit that the common day laborer, if a freeman, has the same right that I claim for myself. Whenever a man puts up his opinion at an accurate standard to which all others must conform, that man should be let down—as many have been, by the power of sentiment and the magic of the ballot.

The legislatures of several states have passed resolutions expressive of their opinion, whether slavery should be prohibited in the vast regions west of the Mississippi. Most of these resolutions are modest and unassuming—a free declaration of

opinions and nothing more. But what shall I say of the resolves of *Virginia*, inserted in the last number of the REGISTER, page 343? Do they partake of that spirit which should prevail among brethren honestly differing in sentiment? The legislature has declared the people of that state to be "united in a common cause with the people of the Missouri territory, and bound to interpose in their defence," and to "resist any attempt made in congress" to restrict the proposed state as to the introduction of slaves, &c.

I am truly sorry for this—from the earliest dawn of my political life, I have looked up to Virginia as the "head quarters of good principles"—and, while I lamented the incumbrance of her black population, which the "defender of the faith" had imposed upon her, without her consent, and which was one of the most grievous of her complaints against the "mother country," I almost revered her political maxims to secure the best interests of the confederated republic. How many great and illustrious men has she furnished to serve and adorn the nation! How manifold her exertions in the cause of liberty! How magnanimous her efforts to maintain the dignity of the law!—I appeal to this lofty minded people, who respecting their own rights and feelings, have learnt also to respect the rights and feelings of others, whether such declarations are not ill-advised, or at best premature?—if they are not calculated to *provoke* opposition, and bring about the worst of calamities? How different her proceedings from those of Pennsylvania, who preceded her in this respect, or of New-York whose resolutions thereon have just reached us! Either of those states have an effective population more than one third greater than that of Virginia, and are far superior to her in wealth and resources. Assuredly, they might use as high language as Virginia has done, and what would be the consequence? May not these great states as well *expound* the constitution as Virginia, and say what they will "resist" and what they will support? If they should take the same stand, the hope of the enemies of liberty might be accomplished! Two wrongs never make one right—but in Baltimore, where certainly a very large majority of the people are opposed to the further extension of slavery, I have heard many imprudent men declare, that the stand of Virginia has closed the door of compromise, or conciliation, in respect to this matter! This is a natural operation of the human heart—the freeman always places himself in an attitude to oppose force, though he will yield much to persuasion and a good understanding with his fellows. But I forbear to dwell upon a subject so painful to me; and must believe that the resolves were passed by Virginia with a different view of their import than what their literal meaning seems to give them—it is impossible to suppose that she has taken it upon herself to say that such, and no other, shall be the construction of the constitution! This may offend some persons—yet, having reprehended the idea of *force* to "resist" the laws of the United States in another quarter of our country, I could do no less than say what I have said, consistently with my own feelings. And I freely leave what is written to the reflecting, under a conviction that all will agree with me in being sorry for the manner of the resolutions passed in Virginia—out of which no possible good to the cause responsible can come, which can only *provoke* animosities, and raise up a similar spirit of opposition. If the proper temper prevails, there is no doubt that we shall get through the momentous question now before congress, in peace and harmony—but, if the

angry passions are roused respecting it—those must be responsible to God, the world, and posterity, who let them loose. I address myself equally to the persons of either party to this question, as the friend of every *district* in the United States, and divested, I hope, more than men commonly are, by the habits of my life, from local feelings. It is now that the *patriot* should come forth, balance contending interests by the general good, and give stability to the republic.

NOTES.

It must be admitted, that the soil and climate of Virginia are as favorable, if not more so, than those of Pennsylvania or New-York. These states have latterly furnished many emigrants to other states; and, perhaps, in this respect may stand on an equal footing; but Virginia and New-York, by their rich western counties yet unsettled, receive many emigrants from Pennsylvania, whereas very few from either of these take up their residence in that state. To western Virginia, especially, a great number of persons have gone from Pennsylvania—some counties I am told, are almost peopled by Pennsylvanians—yet the following table, shewing the march of population in these states, may be useful to make us reflect upon the cause of their relative increase or decrease of power. A more extensive table might be compiled to shew the subject generally—giving to the new state of Ohio as great a weight of representation as Kentucky, &c. But the census of 1820 will convey to us many important truths on this matter.

	Virginia.	Pennsylvania.	New-York.
Free population in 1790.	454,453	430,656	318,796
Representatives in congress,	19	13	10
Free population in 1800.	539,171	606,839	555,437
Representatives in congress,	22	13	17
Free population in 1810.	582,104	809,296	944,032
Representatives in congress,	22	21	27
Probable free pop. in 1820.	650,000	1,100,000	1,300,000
Representatives after census*	18	22	26

The considerations that necessarily grow out of this statement are left for each person to reflect upon for himself. The inequality is glaring—but it is the *bond*, and phrenzy to the brain that would plot to destroy it!

Wealth of Lancaster county, Pennsylvania.

This county, from its rich soil, high state of cultivation, and beautiful country houses, fine barns and granaries, has been styled the *Garden of America*. That it deserves this title, some idea may be formed by those who have never had an opportunity of judging for themselves, by the following calculation of its actual value:

From the assessors' returns of the valuation of lands, lots, houses, &c. made to the commissioners for the purpose of levying the county tax for the present year, making a fair allowance for the rule which custom has established in assessing real estate, the free-people of Lancaster county would amount to more than sixty millions of dollars. The capital required to stock and keep in an active state of production, the lands alone, including capital held in grain, &c. may be estimated at thirteen million—to which may be added stock held by wealthy individuals in national securities, banks, turnpikes and bridges, capital embarked in distilleries, &c. six millions; also capital embarked in manufactures and mercantile pursuits, estimated at four millions—making a total of *eighty-three millions of dollars*.

This sum, immense as it appears, is considered by some gentlemen, well acquainted with the coun-

*The ratio is supposed to be at 50,000—and 450,000 slaves in Virginia are constitutionally counted as equal to 270,000 free persons, in the choice of representatives.

ty, as far too low: in making the calculation, every allowance was made for the depressed value of real estate, so as to be rather within than over the present depreciation of every kind of property appertaining to the agricultural interest. [*Penn. Gaz.*]

[This county contains about 500,000 acres—much of which is broken land. Yet the total value of the property of its inhabitants is estimated, even under the present depressed price of things, at *eighty-three millions* of dollars! The fact is, that the richest counties in Virginia are, proportionally, those which have the least number of slaves. *Ed. Reg.*]

Banks and Banking.

United States bank. A writer in the New-York Gazette, after a variety of calculations and sundry statements of facts, concludes, that if no dividend is made by this bank until the 1st of July, 1822, it will *then* be in the same situation as at its commencement!

A clerk in the office at Richmond has resigned his office in consequence of an alleged malversation, respecting monies confided to his charge. The directors and clerks in many banks, seem to have fallen into the belief, that they might do with the representatives of money what they liked! It is well indeed, that the torrent of paper has been checked. We might in a few years have deserved to be called a nation of plunderers.

New York. The banks of this state are rapidly settling down into regularity. Those that are solid are recovering from the shock, and maintain their credit. The rest cannot rise again. The same remark applies to *Pennsylvania*, who will soon be dis-indebted of many rag-shops.

Delaware. A project is before the legislature of this state, prescribing that all the "banks established shall form one institution, and shall not be independent of each other." The whole capital to be 1,500,000—the principal bank to be at Dover, with branches at Wilmington, New Castle, Smyrna and Georgetown.

Maryland. The banks in this state cannot declare dividends, unless their capital stock is unimpaired; attempts are now making to get special laws passed to enable certain banks to make dividends of profits accruing on the capital that is left to them.

District banks. The following is given to me as the state of the banks in the district of Columbia, (except the office of the bank of the U. S.) on the 1st of October last—

Total number of banks	13
—capital	5,225,319
—specie on hand	265,234

Of the specie, 90,000 dollars were in the Farmers and Mechanics bank of Georgetown, leaving 175,234 dollars for the twelve other banks—an average of \$14,602 for each. Yet these banks, on account of the disbursements of the government at Washington, meet demands upon them pretty conveniently, with the paper of the bank of the United States.

North Carolina banks. We recently published a detailed account of the affairs of the state bank. We have now similar statements of the condition of the banks of Cape Fear and Newbern. Their joint capital is about 1,600,000; they have more than \$1,300,000 in circulation; deposits 369,000; specie 201,235; bills of exchange and foreign funds 166,566; and the notes and bills discounted by them amount to \$2,928,236.

South Carolina. A committee appointed for that purpose by the legislature of this state, now in session, have reported, that in their opinion, the affairs

of the state bank have been so administered as to secure the credit of its paper, and at the same time, given every indulgence to the debtors of the institution, which at a moment of peculiar pressure, was consistent with its safety; and with respect to the United States branch bank at Charleston, they remark, that far from adopting a conciliatory conduct towards the local banks, they have pursued such a system as has forced them to withdraw their paper from circulation, thereby creating a void in the circulating medium of the state, which it has not supplied by an issue of its own.

Kentucky. A bill passed the legislature of this state, to suspend all sales under execution, replevins, &c. &c. for sixty days. The acting governor refused to sign it—he thought that no law should delay or deny justice. But the bill was, notwithstanding, passed by both houses and is the law. Before the expiration of the sixty days it is thought that a law will be passed providing that property shall not be sold unless it bring a certain portion of its value.

The bank of Kentucky has suspended specie payments—it is believed that the legislature will sanction the proceeding—and possibly carry the matter so far as to provide that its notes shall be received in satisfaction of executions, &c. We hope that they will not do this.

The branch at Louisville has resolved to continue specie payments.

Leave was given in the legislature to bring in a bill to declare all sales void, made under any execution issued in favor of the bank of the U. States, or its branches, in this commonwealth, and for other purposes.

The court of appeals, in the case of the "bank of the United States vs. Joshua Norvell," have refused to the plaintiffs a supersedeas—and thus sustained judge Mills' decision, [see present vol. of the REGISTER page 150]—in which the court decided that the bank of the United States could not sustain an action against an individual, on a note drawn by him. The opinion of the court of appeals shall be inserted the first opportunity.

LEGISLATURE OF OHIO.

From the *Columbus Monitor* of Dec. 30.

On Monday last, the question was taken on adopting the resolution of Pennsylvania concerning restricting the powers of congress in the erection of banks. This subject had been referred to a select committee, who made the report, which will be seen below. The report was warmly opposed by gen. Harrison, and as warmly supported by gen. Lucas and Mr. Jennings. Several members took part in the debate, which was extended through the whole of Monday and Tuesday. Gen. Harrison moved to strike out so much of the report as relates to the opinion of the supreme court to the word "surrendered." On this the debate principally turned.

The whole merits of the question was investigated on this proposed amendment, and though there was a spirited contention about striking out that part of the report (for the report was intended to accompany the resolution) yet every member agreed that the act of congress establishing the bank was unconstitutional.

To prevent misconception abroad, we will state that nothing more was intended by the advocates of the report than a declaration not to submit to the decision of the supreme court, as given in the case of McCulloh against the state of Maryland, but await until the case of this state should be tried, when every one recommended to submit without further altercation. The motion for striking out

prevailed, and the resolution, with the remaining part of the report, was unanimously adopted.

Your committee, to whom was referred a resolution of the general assembly of the state of Pennsylvania, proposing an amendment to the constitution of the United States, declaring that "congress shall make no law to erect or incorporate any bank or other monied institution except within the district of Columbia, and every bank or other monied institution which shall be established by the authority of congress shall, together with its branches and offices of discount and deposit, be confined to the district of Columbia:"—

Have had the same under consideration, and are of opinion that there is nothing in the constitution of the United States either expressed or implied that vests in congress the right to pass such a law; and that an attempt to erect any such bank or other monied institution *under an act of congress* within any state, without the consent of such state having been first obtained, is a dangerous violation of sovereign rights, reserved to the states themselves. And it is with deep regret your committee find that congress has assumed the authority to pass a law incorporating such a monied institution, which law your committee believe is unconstitutional, and the construction said to have been given it, by the supreme court of the United States to be erroneous, and that neither the law nor the opinion of said court in that case is in any way obligatory on us as a state; but that the legislature have a conclusive right to levy such taxes and penalties on any bank or other monied institution located within the state without their consent, as in their opinion may comport with their interest and dignity as a sovereign state, which right your committee are of opinion ought never to be surrendered.

Nevertheless, with a view to prevent the repetition of so dangerous a misconstruction of the constitution, your committee recommend a concurrence in the resolution of the general assembly of the state of Pennsylvania, in the words following, viz: "Resolved by the senate and house of representatives of the commonwealth of Pennsylvania in general assembly met, that the following amendment be prepared to the constitution of the United States, viz: Congress shall make no law to erect or incorporate any bank or other monied institution, except within the district of Columbia, and every bank or other monied institution which shall be established by the authority of congress shall, together with its branches and offices of discount and deposit, be confined to the district of Columbia."

Therefore, resolved by the general assembly of the state of Ohio, that they concur in the aforesaid resolution of the general assembly of the state of Pennsylvania: and that our senators and representatives in congress be requested to use their exertion to procure the adoption of an amendment to the constitution of the United States as herein expressed.

Resolved, that the governor be requested to transmit copies of the foregoing report and resolution to each of our senators and representatives in congress, and also to transmit like copies to the executive of the several states, with a request that they will lay the same before the legislature thereof, soliciting their co-operation in procuring the adoption of the foregoing amendment.

Indiana. Extract from a memorial of sundry citizens of this state, to the legislature thereof. After detailing the evils and frauds of the banks, they

"We therefore pray, that the general assembly will require of these incorporations a full account of their proceedings, and if, upon a fair enquiry, it should be found that they have (as we believe they have) violated the conditions of their charter and the fundamental principles of banking, that an act may pass, providing, that wherever either of the said banks or their branches, shall refuse to redeem their notes on demand in specie, that their charters shall be declared forfeited, save so far as to settle and close their respective concerns."

[They also covenanted with themselves to discountenance the circulation of paper not convertible into specie on demand.]

Internal Duties and Direct Tax.

Among the documents submitted to congress at its present session, is a ponderous volume of tabular statements relative to the internal duties and direct tax.

The following "*general view of the internal duties for 1818*" seems to embrace every thing in relation thereto which it is needful to notice, for common use or reference.

Accruing duties, viz.

		Dolls.	Cts.
On licenses for stills and boilers employed on domestic materials	11,909	51	
Foreign materials	0	00	
			11,909 51
On spirits distilled from domestic materials, at 20 cents per gallon	133	70	
at 25 cents per gallon	0	00	
Do. from foreign materials, at 20 cents per gallon	0	00	
			133 70
On carriages	1,031	25	
On licenses to retailers	5,356	84	
On sales at auction	60,317	10	
On refined sugar	12,998	46	
On stamps, viz:			
On stamped paper and bank notes	14,772	38	
By compounding banks	87,368	85	
			102,141 23
On various goods, wares, and merchandize, manufactured in the United States			133 03
On household furniture, and gold and silver watches			0 00
Interest and additions received on duties not punctually paid			17,479 67
Moiety of fines, penalties and forfeitures			5,382 15
			216,862 94
Deduct amount of duties refunded or remitted	146,599	37	
From which deduct the amt transmitted by the treasurer to collectors whose collections did not enable them to satisfy the			

demands of claimants	23,015 87	
		123,583 50
Deduct amount of allowances by law, on the payment of duties before they became due	336 87	
Deduct amount of insolvencies, &c.	7,375 12	
		131,295 49
Total accruing duties		85,567 45
Add balances due on Dec. 31, 1817, viz:		
In bonds uncollected	1,385,060 74	
In duties not bonded	149,579 87	
		1,534,640 61
Total of accruing duties in 1818, and of duties outstanding on Dec. 31, 1817,		1,620,208 06
Cash in the hands of collectors, December 31, 1817,		471,001 49
Total accruing duties in 1818, and of duties outstanding, and cash in the hands of collectors, Dec. 31, 1817,		2,091,209 55
Amount of duties received by the collectors		1,019,794 32
Amount of payments to the treasurer		940,085 57
Expenses of collection: consisting of		
Costs of prosecution	3,105 18	
Contingent expenses	7,599 33	
Measuring stills	3 30	
Commission	68,393 14	
Extra allowances by the president, (see note 2.)	17,294 86	
		96,395 81
Balances on the 31st Dec. 1818, viz:		
In bonds uncollected	713,963 74	
In duties not bonded	103,175 90	
		817,139 64
In cash		306,096 42
		1,123,236 06

NOTES.

1. This statement being formed from the accounts of the collectors, as transmitted to this office, uncorrected by the revision of the accounting officers of the treasury, the several items of which it consists, may not precisely balance or correspond with the results of the accounts, as finally settled.

2. The whole sum allowed by the president for the collection of the direct tax, and the internal duties, for the year 1818, amounts to \$21,244 43. There having been received from the direct tax \$232,838 45, and, from the duties, \$1,019,794 32. In the foregoing general view, a proportionate part of the whole allowance is charged to the duties; viz: \$17,294 86; the residue being properly chargeable to the collection of the direct tax.

The following exhibits a view of the outstanding INTERNAL DUTIES on the 20th of November 1819, which is, necessarily, in part, the result of computation.

Amount uncollected, being due by individuals \$600,000 00

Amounts collected, being in the hands of collectors and their deputies, for which suits have, in several cases, been instituted	280,000 00
	880,000 00

REVENUE OFFICE, Nov. 20, 1819.

DIRECT TAX.

The amount received on account of direct tax, in the year 1818, was \$232,838 45

The business relative to the internal duties and direct tax, is now so nearly closed that the office of commissioner of the revenue has been abolished, and his duties transferred to one of the auditors of the treasury.

District Tonnage of the U. S.

Treasury department, 30th Sept. 1819.

SIR:—I have the honor to transmit the annual statement of the district tonnage of the United States, on the 31st December, 1818; together with an explanatory letter of the register of the treasury.

I have the honor to be,
with great respect, sir,
Your obedient servant,

WM. H. CRAWFORD.

The honorable the speaker
of the house of representatives.

TREASURY DEPARTMENT,

Registers office, 3d Dec 1819.

SIR:—I have the honor to transmit the annual statement to the 31st December, 1818, of the district tonnage of the United States.

Tons 95ths.

The registered tonnage, as corrected at this office, for the year 1818, is stated at	606,088 64
The enrolled and licensed tonnage is stated at	549,374 02
The fishing vessels at	69,721 49

Amounting to 1,225,184 20

The tonnage on which duties were collected during the year 1818, amounted as follows;

Registered tonnage, paying duty on each voyage	859,782 61
Enrolled and licensed tonnage employed in the coasting trade, an annual duty	482,633 23
Fishing vessels the same	61,452 92
	1,403,868 81

Duties were also paid on tonnage, owned by citizens of the United States, engaged in foreign trade, not registered	13,063 64
Ditto coasting trade	1,719 24
	14,782 88

Total amount of tonnage on which duties were collected 1,418,651 74

The registered tonnage being corrected for the year 1818; by recent correspondences with the collectors of the several districts,

according to the mode prescribed for their government, as stated in the communication made to congress the 27th of February, 1802, may be considered nearly the true amount of that description of tonnage

The enrolled and licensed tonnage is stated at the amount upon which the annual duty was collected in 1818, on that description of tonnage, and may be considered as nearly the true amount	606,088 64
Fishing vessels the same	482,633 23
	61,452 92

The district tonnage of the United States is stated at	1,150,174 84
Of the registered tonnage, amounting as before stated, to 606,088 64 tons, there was employed in the whale fishery	16,134 77
Enrolled and licensed tonnage also in the whale fishery	614 63
Amounting to	Tons 16,749 45

I beg leave to subjoin a statement (marked A.) of the tonnage for the year 1818, compared with the amount thereof, as exhibited in the preceding annual statement for 1817; with notes in relation to the increase of the registered and increase of the enrolled tonnage, respectively, in 1818.

By this statement, it appears that the total amount of new vessels built in the several districts of the United States, during the year 1818, was

Registered tonnage	42,137 05
Enrolled ditto	40,284, 15

Total amount of new vessels, Tons 82,421 20

I have the honor to be,
very respectfully, sir,
your most obedient servant,
JOSEPH NOURSE, Register.

Hon. Wm. H. Crawford,
secretary of the treasury.

Of the amount of tonnage for the year 1817, was	\$1,484,732 84
do. 1818	1,225,184 20

Apparent decrease 259,548 64

But certain corrections being made and the vessels built during the year 1818 being added, the real and nominal decrease compared with 1817, appears to be

Vessels built in the year 1818—53 ships, 85 brigs, 428 schooners, 532 sloops.

Aggregate of tonnage.

New York	263,883 80
Boston	125,447 15
Philadelphia	82,715 43
Baltimore	67,843 17
Norfolk	39,978 39
Salem	33,380 79
Mississippi	35,118 58
Portland	29,998 01
Charleston	27,801 03
New Bedford	25,748 39
Newburyport	23,555 77
Portsmouth	22,486 59
Nantucket	21,992 11
Bath	21,174 73

No other ports over 20,000 tons.

Navy Pension Fund.

Letter from the secretary of the navy, transmitting sundry statements in relation to the navy pension fund.

NAVY DEPARTMENT, January 6, 1820.

SIR—On behalf of the commissioners of the navy pension fund, and in obedience to the "act for the better government of the navy of the U. States," I have the honor respectfully to report to congress the following statements, in relation to that fund, viz:

- Showing the amount of United States' stock belonging to the navy pension fund.
 - Showing the bank stock belonging to said fund.
 - The account of the treasurer, Thomas Tudor Tucker, esq. with the commissioners of the navy pension fund.
 - Abstract of warrants drawn by the secretary of the navy on the treasurer of the fund.
 - List of navy pensioners, with the pensions allowed to each.
- All which is respectfully submitted.

SMITH THOMPSON.

*The honorable Speaker
of the house of representatives.*

A. shews the amount of stock to the credit of the commissioners of the navy pension fund, bearing interest, and unredeemed on the 1st of January, 1820, to be \$744,568 59.

B. gives the names of banks in the district of Columbia in which money of the fund has been invested to the amount of \$129,105 10.

C. and D. shew that the warrants drawn on the treasurer of the United States for the year 1819, for the use of pensioned seamen, amounted to 59,167 10 dollars.

E. as above stated, is a list of the navy pensioners—varying in amount from 240 to 36 dollars per ann. the majority at 72. The whole number of pensioners is 438—thus

Total number of officers, seamen & marines,	339
do. widows, &c.	99
	438

Legislature of Massachusetts.

GOVERNOR'S MESSAGE.

Gentlemen of the senate, and

Gentlemen of the house of representatives:

In taking a survey of the present condition of the people of this commonwealth, we find abundant reason for thankfulness to Almighty God, for the smiles of his Providence in continuing to us the blessings of peace, of general health, and of civil and religious liberty. The seasons of the past year have been uncommonly favorable to vegetation, and our land, under the influence of improved cultivation, has yielded a rich increase. Many branches of important manufactures, though laboring under discouragements, have reached a high degree of respectability. Through the medium of the several agricultural societies, and other correct sources of information, we learn, with satisfaction and pride, that the manufacturers of the state are rapidly increasing; and that, adapting themselves to the wants, the habits, and the circumstances of society, they are becoming, what is indispensable for their support and permanence, objects of the people's partiality and choice. This important subject is now before the national legislature. And from their liberal and enlightened views, we may

Test assured that every degree of encouragement will be afforded to that branch of national industry, not incompatible with the interests of the whole community. Those branches of manufactures connected with national defence merit pre-eminent regard; and it would yield the highest satisfaction to the citizens of our country to learn, that competent provision was made for manufacturing all the essentials for the military defence of the nation. Parsimony in this item of expenditure might prove more dangerous than profusion.

If, in some of the great departments of active and lucrative pursuit, especially navigation and commerce, many of our fellow citizens are suffering depression and embarrassment, our regret is tempered by the reflection, that those evils are partial, and constitute a part of the price of the general peace of the world; a peace which, as it restored to nations their rights, and to individuals their occupations, compelled in each a reliance on their own respective resources. The transition of nations from a state of war to peace must always prove disastrous to numerous individuals. At the termination of the late protracted war more especially, in the course of which habitual pursuits of a large proportion of the people of the commercial world had been suspended, and they, either induced by patriotism, urged by hunger, or forced by power, were driven into the ranks as soldiers, extraordinary changes in the condition of individuals must have necessarily happened.—Circumstances however exert a salutary influence on nations and individuals. The tranquility of peace diminishes the incitements to uncalculating enterprise, and induces those habits which ensure the highest degree of general prosperity and happiness.

The restoration of the relations of peace is not chargeable with all the deep embarrassments visible in the U. States. They are domestic and referable to a spirit of bold and unbounded adventure, generated and elucidated by specific causes. Over trading has been wrongfully accused of producing the mischiefs complained of. It does not reach the origin of the evil. The facility of commanding funds, at once the incentive and the instrument of speculation, has been the primary source of our deepest calamities. No conceivable occurrence could have more completely cherished that passion, than the sudden and profuse creation of capital. And it is not to be concealed that numerous banks, in various sections of the U. States, have been established and allowed, or have assumed, the ruinous privilege of issuing bills to an indefinite amount, without the means or the obligation to meet the payment of their paper in specie on demand of the holder; and have been governed, not by the sober maxims of a judicious political economy, nor the dictates of a discriminating self-interest, but by the spirit of legalized monopoly, and the insatiable cravings of inordinate speculation. The over trading, and the immense profusion of foreign products and manufactures with which our seaports are surcharged, are among the unavoidable consequences of a redundant currency, and trading on fictitious capitals. It is not incredible, however, that evils of domestic origin have been aggravated by a relaxation of the monetary system of another nation, whose merchants and manufacturers, intimately connected with our own, from parity of causes, have suffered similar effects. The laws of currency and exchange are immutable; and a profusion of paper will every where produce disastrous results. Besides its inherent tendency to produce pecuniary disappointment and distress, it leads to habits of dissipa-

tion and extravagance; and to most of those vices which dishonor society and overwhelm individuals in ruin.

Although many of the citizens of this state, who are engaged in navigation, manufactures and commerce, have participated in the common disasters of the times, we have reason for congratulation that their misfortunes have been comparatively light, and have usually arisen from contingencies beyond their control.—Confidence between man and man is strong and active. A spirit of industry, stimulated by a laudable pride of self dependence, is every where apparent. The credit of the state is unimpaired; and our banking establishments, founded on the stable principles of justice, and administered with an honorable reference to the principles on which they are founded, facilitate the operations of all the great departments of fair enterprise and industry; and, furnishing a medium more convenient than silver and gold, always convertible into coin, the labors and products of agriculture are solicited by an equable and competent circulation. May the time soon come, when all the American people shall entertain an unwavering belief, that no partial means can cure, no temporary expedients relieve the embarrassments of the times; but, that their ultimate removal must be sought in the power of just laws and virtuous habits.

In pursuance of the act passed at the last session, "relating to the separation of the district of Maine from Massachusetts proper, and forming the same into a separate and independent state," all the returns of votes received at the secretary's office, conformably to the second section of said act, were opened and examined as therein required. Upon counting the votes given on the question of separation, it appears that the number of votes in favor of the separation of said district exceeded the number of votes against it by and surpassing the number specified in the said second section: the result was made known by proclamation. And the people of the said district were therein called upon to choose delegates to meet in convention, for the purposes, and in the manner expressed in the said act. The history of the subsequent progress of the separation, and the result of the doings of the convention, and of the people, on the subject of a constitution of government, it is not in my power at present to lay before you. But from a communication which I have received from the hon. William King, president of the convention, dated the 7th inst. a copy of which will be herewith presented to you, I presume I shall shortly be enabled to do it.

The connection that has subsisted between Massachusetts and the district of Maine, commenced at an early period of their history. But until the year 1692 their union was anomalous and interrupted. The promulgation of the charter of William and Mary, comprehending both sections of country, united them under one government—and from that period to the present time, the connection has been uninterruptedly maintained to mutual satisfaction and advantage.

The time of separation however is at hand. Conformably to the memorable act of June, 19th, 1819, the 15th of March next will terminate forever the political unity of Massachusetts proper and the district of Maine. And that district, which is "bone of our bone and flesh of our flesh," will assume her rank as an independent state in the American confederacy.

To review the transactions which have immediately preceded and effected the separation, and to recollect the spirit of amity and mutual accommo-

dation, that has distinguished every stage of its progress, must be truly and lastingly satisfactory. It is at the same time highly gratifying to every friend of republican government, to observe the unanimity and disposition to mutual concession with which a constitution, founded on the broadest principles of human rights, has been formed and adopted.

That the district of Maine was destined to independence, has been long foreseen and acknowledged. But it has been delayed until her internal resources and her capacity for self-government being fully developed, public opinion, emanating from a competent and increasing population, decidedly invoked a fulfilment of her destination.

Having yielded my assent to the act of separation, it remains for me to obey the impulse of duty, as well as of personal feeling, by acknowledging to the gentlemen of the district who have been particularly associated with me, either in the civil or military departments of government, the able support which, on all important occasions, they have readily afforded—and to the citizens of the district generally, the candor, liberality, and respectful attention I have experienced in the discharge of my official duties.

My fellow citizens of the district, who have now, for the last time, united their counsels in the deliberations of the legislature, will accept my devout wishes for their individual happiness, and for the peace, the honor and prosperity of the new republic.

In advertent to the separation of Maine, we are necessarily led to consider the effects of that secession on the government of Massachusetts. The constitution was not only the product of the united wisdom of the two great sections of country known as Massachusetts and Maine, but the provisions of it were designed to apply to the circumstances of both. Accordingly, in apportioning the number of counsellors and senators designated by the constitution among the several districts, Maine has ever had assigned to it a constitutional proportion. And the act of February, 1814, constructed on this principle and now in operation, entitles the eastern districts to nine counsellors and senators. It would be unnecessary for me to remark that the act just mentioned, and the additional one of February, 1816, will require modification.

In meditating, however, on this subject, we are led to extend our views beyond this single question of modifying the first branch of the legislature, and to enquire whether considerations affecting the interests of the people, as connected with the future operations of the government, will not, at the present time, call at least for a partial revision of the constitution? The great outlines of the constitution were indeed drawn by masterly hands; and in its general principles is little, if at all, susceptible of improvement. Waving therefore every thing relating to the declaration of rights, and to the definitions of power, as vested in different departments, it would not be wonderful if some of the numerous details of a system of civil policy, intended to act upon and to protect the diversified interests of a people spread over a vast extent of territory, should fail in their practical adaptations to a more limited sphere of action. Nor should it be thought a singular exception to the liableness of every human composition to misconception and abuse, that a constitution of government, framed in the midst of the war for independence, should, after a lapse of forty years, be found capable of amendment. The wise and faithful framers of the constitution were

sensible of danger from this source, and all the checks established by that instrument are designed to guard the purity of its republican character, against the mistakes of public agents, as well as the misuse of power.

The indefeasible right of the people "to institute government," and "to reform, alter and change" the same, when their protection, safety, prosperity and happiness require it," is distinctly asserted in the bill of rights. But the constitution contains no provision for a revision after the year 1795. Yet, as the legislative power extends to every object that involves the good and well being of the commonwealth, which is not specifically expected, we infer the right and duty of the legislature to submit to the consideration of the people either the general question of revision, or such propositions for particular amendments, as they shall judge to be most promotive of the public good. The inference from analogy arising from the provisions of the 10th section of the 6th chapter of the constitution, seems to favor the idea of limiting the power of the legislature to submit primarily, the general question only to the people. But as that article was designed for the particular case of a revision in the year above mentioned, it does not seem reasonable to conclude that the general power of the legislature can be abridged by that specific provision.

I have been thus particular in expressing my views of the constitutional doctrine of amending the constitution, from a persuasion that an occasional recurrence to first principles tends to preserve the purity, and to maintain the strength of a republican system of government, and from a corresponding sense of obligation on my part, to present the same on the present occasion to your consideration. The subject, gentlemen, is constitutionally in your hands. And I feel entire confidence that your deliberations on this and every other subject, will be guided by wisdom, and result in the best good of the commonwealth.

To carry into effect the benevolent intention of the legislature, agreeably to a resolve of the 19th of June last, "respecting the deaf and dumb," measures were immediately taken to give publicity to the same, and to require that application should be made in writing, and directed to the secretary, by the parents or guardians of such persons as were entitled to the benefit of the resolve. Immediately after the expiration of sixty days, the attention of the council was invited to this subject, and such arrangements were made as to designate twenty of the applicants who appeared to possess the prerequisites for admission into the asylum at Hartford, pointed out by the government of that institution, to be placed under their care. From the several documents, relative to this business, you will perceive the course pursued in adjusting it. The report of Mr. Gallaudet, dated the first of the present month, contains information relating to the individuals who are now at the institution.

From an examination of the documents, and further reflection on the subject of the "deaf and dumb," a review of it may be thought advisable; more especially in reference to protracting the term of education, as suggested by the trustees of the asylum; to increasing the number of beneficiaries, and to devising means for rendering the talents and acquirements of those who are educated at the public expense, in as high a degree as practicable, useful to themselves and others.

During the recess, I received from the governor of the state of South Carolina, a communication containing the proceeding of that state on the sub-

ject of an amendment of the constitution, proposed by the state of North Carolina. Likewise a communication from the governor of the state of Pennsylvania, containing a proposal of the legislature of that state to amend the constitution, so that congress shall make no law to erect or incorporate any bank or other monied institution, except within the district of Columbia. These communications will be laid before you by the secretary.

At the usual period in October last, the visitors of the state prison visited and examined the condition of that institution, and had the satisfaction to find marks of vigilance among the officers, and the appearance of diligence and good order in the several departments. The reports of the warden, and the surgeon of the establishment, together with sundry other documents, will be laid before you by the secretary. He will at the same time present the return of the ordnance and ordnance stores made by the quartermaster general.

JOHN BROOKS.

Council Chamber, Jan. 13th, 1820.

The Jews.

FROM THE ALBANY GAZETTE.

Mr. Noah, editor of the New York National Advocate, has addressed a memorial to the legislature of New York, praying that the state would authorise the sale of Grand Island in the Niagara river to him, for the purpose of building a city thereon, and inviting a community of Jewish emigrants to that place. The memorial cannot fail to excite interest, because it embraces an object which appears very feasible; and if Mr. Noah does not deceive himself, as to the disposition of the Jews to emigrate to this country, his project may be considered as a very splendid one. Indeed we have often wondered why the Jews do not emigrate more frequently to the United States; why they should suffer from the intolerance of other governments, when an asylum, so desirable, can be found in this country. It must arise from their total unacquaintance with our laws and institutions, and this memorial will no doubt lead to some enquiry. There is no small discernment evinced in this location. Grand Island is bounded on the north by lake Ontario; on the south by lake Erie; on the west by Upper Canada; and on the east by the state of New York, and lies near the centre in Niagara river—the current, however, is somewhat rapid. It may contain 20,000 acres. From the vicinity of those great bodies of water, the air in winter derives a degree of warmth; and the same cause also tempers and refreshes the heat of summer. Melons, peaches, nectarines, and other delicate fruits, grow in the neighborhood—and its position is excellent for a city. We know not whether the state would sell that island. It is of no use, and is the asylum of gypsies and wanderers, who are destroying the timber. If, however, they should deem it expedient to sell it, there will be no objection to sell it to Mr. Noah for the object which he contemplates; because, in the possession of any other individual, and for other purposes, the state cannot realise those benefits which a settlement of Jews will produce. The property of foreign Jews, principally consists of money and merchandise, which can be easily removed to any country, and if a few of their great bankers would emigrate to this state, and circulate a few millions, they would secure a good profit, and give a spur to internal commerce. Besides, after all said or wrote on this subject, this is the most preferable country for the Jews.—Here they can have their Jerusalem, with-

out fearing the legions of Titus; here they can erect their temple, without dreading the torches of enraged soldiers; here they can lay their heads on their pillow at night, without fear of mobs, of bigotry and persecution; here they can become citizens—attached to the soil—defending the laws—and interested in the protection of liberty;—and who knows but Divine Providence, who has to this day protected the children of Israel as a nation, may finally lead them to this country; may repeat in the words of the prophets—"I will be as the dew unto Israel: he shall grow as the lily, and cast forth his roots as Lebanon. His branches shall spread, and his beauty shall be as the olive tree, and his smell as Lebanon."

Miscellaneous.

Colonization society. The third annual meeting of the American society for colonizing the free people of color of the United States, was held at Washington City on the 8th inst. The business was opened by an interesting and encouraging address from the president, *Bushrod Washington*. He congratulated the society on what had been done, on the progress of a spirit to patronize and support the plans of the society, and on the hope afforded of its useful effects, &c. In conclusion he said—

"The present moment is auspicious to our hopes—public expectation is directed towards it—the sentiments of our fellow-citizens throughout the United States, favor our views, and the prayers of the pious are offered to the throne of the Most High, for a blessing upon our endeavors. Let us, then, press forward to the great object for which we are associated; and if the exalted work of benevolence, in which we are engaged, should unexpectedly fail in its accomplishment, let us exonerate ourselves from the imputation of a defect of zeal in our exertions to procure it."

After the general business of the society had been terminated, the following gentlemen were chosen officers for the ensuing year—

PRESIDENT.

The honorable *Bushrod Washington*.

VICE PRESIDENTS.

Hon. *William H. Crawford*, of Georgia.

Hon. *Henry Clay*, of Kentucky.

Hon. *William Phillips*, of Massachusetts.

Col. *Henry Rutgers*, of New York.

Hon. *John E. Howard*, of Maryland.

Hon. *John C. Herbert*, do.

Isaac McKim, esq. do.

John Taylor of Caroline esq. Virginia.

Gen. *John Hartwell Cocke*, do.

Gen. *Andrew Jackson*, of Tennessee.

Robert Ralston, esq. of Philadelphia.

Right Rev. *Bishop White*, do.

Gen. *John Mason*, District of Columbia.

Samuel Riquard, esq. of New Jersey.

William H. Fitzhugh, of Virginia.

MANAGERS.

Francis S. Key Rev. *William Hawley*

Walter Jones Henry Foxall

Rev. Dr. James Laurie Jacob Hoffman

Rev. Dr. S. B. Balch William Thornton

Rev. Obad. B. Brown Thomas Dougherty

Rev. William Wilmer Henry Ashton.

Elas B. Caldwell, Secretary.

John Underwood, Recording secretary.

Richard Smith, Treasurer.

New York, Dec 25 The committee appointed at a late meeting to take measures for the colonization of the free blacks, have chartered the ship *Eliza*, which lies at the foot of Liberty street, to carry

out such as are willing to embark. There are already 50 persons engaged to go from here, 50 from Philadelphia, and 70 from Virginia.—They contemplate fixing the establishment at a place called Sherbugia, 100 miles south of Sierra Leone, in a fine climate and a fruitful soil. A ship of war will convey them. His plan requires the assistance of all persons interested in the project, and the committee will call on them for donations in money, clothing, provisions, agricultural instruments, furniture, or any thing useful, and a person is appointed to be on board of the *Eliza* to receive donations,

JOSEPH BONAPARTE. The following is a translation of a letter addressed by this gentleman, dated "Point Breze, Jan. 8, 1820," to "William Snowden, esq. judge and justice of the peace, Bordentown," N. J.—

Sir: You have showed so much interest for me since I have been in this country, and especially since the event of the 4th instant, that I cannot doubt it will afford you pleasure to make known to your fellow citizens, how much I feel all they have done for me on that occasion. Absent myself from my house, they collected by a spontaneous movement on the first appearance of the fire, which they combatted with united courage and perseverance; and, when they found it was impossible to extinguish it, exerted themselves to save all the flames had not devoured before their arrival and mine.

All the furniture, statues, pictures, money, plate, gold, jewels, linen, books, and in short, every thing that was not consumed, has been most scrupulously delivered into the hands of the people of my house. In the night of the fire, and during the next day, there were brought to me, by laboring men, drawers, in which I have found the proper quantity of pieces of money, and medals of gold and valuable jewels, which might have been taken with impunity. This event has proved to me, how much the inhabitants of Bordentown appreciate the interest I have always felt for them; and shows that men, in general, are good, when they have not been perverted in their youth, by a bad education; when they maintain their dignity as men and feel that true greatness is in the soul, and depends upon ourselves.

I cannot omit, on this occasion, to repeat, what I have said so often, that the Americans are without contradiction, the most happy people I have known; still more happy if they understand well their happiness.

I pray you not to doubt of my sincere regard. Yours, &c. JOSEPH, count de Survilleirs.

Joseph Bonaparte is much beloved in this neighborhood, and the people have requited his kindness and liberality towards them in the manner above stated.

REPRESENTATIVES CHAMBER.

We are pleased with an opportunity of publishing the following account of the hall of representatives, from the hand of a correspondent, whose impressions agree so well with our own. [*Nat. Int.*]

Gentlemen—I have just been to visit the hall of representatives in the south wing of the capitol, and cannot but think it the finest piece of architecture (for the purpose intended) in the world. I have never been more gratified by the examination of any specimen of art whatever. It is highly creditable to the great nation by which it has been erected, and to the architect and artist by whom it has been designed and executed. After so much, it will not perhaps be amiss to give a brief description of this chamber, for the information

of such of your readers as may never have an opportunity of viewing it.

The room is semi-circular, and of considerable dimensions, both as to diameter and elevation; twenty-two masonry columns and four pilasters, of Breccia, or Potomac marble, as it is usually called, are erected on an elevated base of free stone, forming the area of the room.—The capitals of those pillars are of Carrarian marble, were executed in Italy, and are very rich and beautiful. These support a large and magnificent dome, in the centre of which is placed an ornamental cupola, that admits the light into the hall from above. In the front of the speaker's chair and over the entrance into the chamber, stands an allegorical figure, executed in Italian marble by Messrs. Franconi and Zaccagnia, representing History, in the act of recording the proceedings of the nation. She stands in a winged car which seems to roll over a section of the celestial globe, exhibiting, in basso relievo, the signs of the zodiac. The wheel of the car is intended as the face of a clock, which is to be placed behind, and the front contains, in bas relief, a figure of Fame, and a profile bust of Washington. Above the speaker's chair is a colossal figure of Liberty, in plaster, pointing to the hall below, and supported on her right by an American eagle, and on her left by the Roman fasces, which are partially enveloped in the folds of a serpent. Immediately under this figure, on the frieze, is carved in alto relievo, another eagle, in the attitude of flying, executed by an artist of great eminence, now no more.

The ceiling of the dome is painted in a style of uncommon elegance, by signior Bonani, a young Italian artist, and a pupil of the celebrated David of Paris. The design is somewhat similar to that of the dome of the Pantheon of Rome. The cupola, and bordering below, are splendidly ornamented, and contrasted by the rich and masonry columns beneath, and the general finish and outline of the hall, produce an effect at once grand and imposing. Part of this beautiful ceiling has, unfortunately from the want of time, been left in an unfinished state; but the design, execution and coloring of the whole, reflect great credit on the artist, and must excite the admiration of every spectator.

It is to be hoped that signior Bonani may be employed to paint the upper dome or ceiling of the senate chamber, in the north wing of the capitol—another room, of all most equal splendor, and beauty. From the specimen he has given us of his taste, judgment and skill, in the painting just executed, every one must desire to see him still further employed; and I am sure that every effort he makes will continue to add to the just and merited reputation he has acquired. AMATEUR.

Capitol Hill, Oct. 14, 1819.

CONGRESS.

IN THE SENATE.

January 21. The bill introduced by Mr. Thomas, to prohibit the extension of slavery in the territories of the United States north and west of the proposed state of Missouri, was referred to a select committee, consisting of Messrs. Thomas, Burrill, Johnson, of Ky. Palmer, and Pleasants.

The engrossed bill to establish a district court in the state of Alabama, was taken up, when the blanks therein were so filled as to provide, that the salary of the judge be 2000 dollars, that of the U. S. attorney 400 dollars, and that of the marshal 250 dollars per annum; and, thus amended, the bill was passed, and sent to the other house for concurrence.

The senate resumed the consideration of the bill to continue the act to provide for reports of the decisions of the supreme court, (the blank in which had been previously filled so as to continue the act for five years,) and the bill was ordered to be engrossed for a third reading. (Passed next day.)

The senate then again proceeded to consider the resolutions (introduced by Mr. Dickerson) so to amend the constitution as to provide an uniform mode of electing electors of president and vice president of the United States, and representatives in congress; and on the question to engross the resolution for a third reading, it was decided in the affirmative—ayes 27, noes 13.

The senate resumed the consideration of the Missouri bill.

When Mr. Pinkney rose and spoke three hours in favor of the admission of Missouri, without restriction, without finishing his argument—and the senate adjourned until Monday.

January 24. Mr. Wilson laid before the senate certain resolutions of the legislature of New Jersey, on the subject of prohibiting the existence of slavery in Missouri, &c.

Mr. Logan also laid before the senate sundry resolutions on the same subject, adopted by the legislature of Kentucky.

The other subjects in order for to-day, were postponed; and, then

The senate again took up the Missouri bill.

Mr. Pinkney resumed the remarks which he commenced on Friday, in opposition to the proposed restriction, and spoke nearly two hours.—When he had concluded,

Mr. Otis intimated a wish to reply to Mr. P. but as the senate, he said, after the intellectual banquet which they had just enjoyed, would have now little relish for the plain fare which he could offer; he moved that the subject be postponed until to-morrow, which motion prevailed; and

The senate went into the consideration of executive business; after which, they adjourned.

January 25. The vice-president having withdrawn from the chair of the senate, on an intended visit to his residence in New York, Mr. Gaillard, of South Carolina, was elected president of the senate, pro tempore.

Mr. Rufus King, elected a senator from the state of New York, appeared, was qualified, and took his seat.

Mr. Otis addressed the senate this day, at considerable length, in reply to Mr. Pinkney, and in favor of the restriction on Missouri.

Mr. Smith, of S. C. has the floor, and will speak to-morrow on the same subject.

On motion of Mr. Macon, it was

Resolved, That the committee of finance be instructed to prepare and report a bill to remit the duties which may be payable on a statue of gen. Washington, to be imported from Europe, executed by the marquis Canova, for the state of North Carolina.

Mr. Trimble communicated to the senate certain resolutions of the legislature of Ohio, in favor of the encouragement of domestic manufactures and of appropriations for roads and canals.

January 26. The resolutions of Mr. Dickerson for amending the constitution were further postponed until to-morrow; and the senate then resumed the consideration of the Missouri question.

Mr. Smith of S. C. addressed the senate, at considerable length, in opposition to the restriction, and in reply to its advocates; when he had concluded, the senate adjourned.

HOUSE OF REPRESENTATIVES.

Friday, Jan. 21. Nothing of importance transacted this day—a quorum was hardly kept in the house, which adjourned at an early hour to hear Mr. Pinkney's speech in the senate.

Saturday, Jan. 22. A good deal of business of a private nature was transacted.

Mr. Cooke submitted the following resolution:

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of increasing the salaries of the judges of the district courts of Indiana and Illinois.

On the question to agree to the said resolution, it was decided in the negative.

The house proceeded, on motion of Mr. Foot, to consider the resolution submitted by him yesterday, to instruct the judiciary committee to enquire into the expediency of passing a law to regulate the election and return of members of this house; and on the question of adopting the resolution, it was decided in the negative.

The house resolved itself into a committee of the whole, Mr. Tomlinson in the chair, on the bill making appropriations to supply the deficiency in the appropriations heretofore made, for the completion of the repairs of the north and south wings of the capitol, for finishing the president's house, and the erection of two new executive offices; and the blanks having been filled, the bill was reported to the house, as amended, and ordered to be engrossed for a third reading.

The next order of the day was the bill to authorize the people of Missouri to form a state government, and for the admission of the state into the union; which, being called,

Mr. Taylor moved its postponement to Monday the 31st inst.; when

It was moved that the house adjourn; and

The house adjourned.

Monday, Jan. 24. After other business, of no immediate importance—

Mr. Rich rose, and observed, that, notwithstanding the conclusions which had been formed and reported by the committee on revolutionary pensions on the subject of the enquiry referred to them on the 15th of Dec. relative to the pension law of March 18, 1818, he yet hoped that further enquiry might produce a different result, and that some modification might yet be made of that act which would adapt its operation to the views of its framers, &c. He therefore moved a resolution, that the committee of the whole house, to whom had been committed the report of the committee on revolutionary pensions, made on the 4th instant, be discharged from the further consideration thereof, and that it be referred to the committee of ways and means; which resolution was agreed to.

Mr. Cobb of Georgia, laid the following resolution on the table:

Resolved by the senate and house of representatives of the United States of America in congress assembled, two thirds of both houses concurring, That the following article be proposed to the legislatures of the several states as an amendment to the constitution of the United States, which, when ratified by three fourths of the said legislatures, shall be valid to all intents and purposes, as part of the said constitution, to wit.

No senator or representative in the congress of the United States, shall, during the time for which he was elected, be appointed to any office under the authority of the United States.

On motion of Mr. Livermore, it was

Resolved, That the committee on the post office

and post roads be instructed to enquire into the expediency of making alteration in the law that gives the right of franking to members and delegates of congress.

On motion of Mr. Tracy, it was

Resolved, That the president of the United States be requested to inform this house, what loans, if any, have been made since the peace to private citizens, of powder, lead, and other munitions belonging to the government, of the army or navy, specifying the times, terms, objects, and extent of such loans; the names of the persons by whom, and to whom made; the different times of repayment, and also the amount of the ultimate loss, if any, likely to be incurred by the government in consequence thereof.

The Speaker laid before the house a letter from the secretary of the treasury, transmitting a statement of the number of acres of land sold at the several offices from their institution to the 30th September last; rendered in obedience to a resolution of the house of the 10th instant; which report was laid on the table and ordered to be printed.

The engrossed bill making appropriations to supply the deficit in the appropriations heretofore made for the completion of the repairs of the wings of the capitol, for finishing the president's house, and the creation of two new executive offices, was read a third time, and the question stated on its passage.

A debate of about an hour ensued on this bill—not so much on the question whether it ought or ought not to pass, as on the circumstances which called for it.

Mr. Johnson of Va. and Mr. Randolph argued against the practice of transferring and of exceeding appropriations, for specific objects, and against the responsibility assumed by the president in this case, of borrowing money for the purpose of completing the public buildings. These gentlemen protested warmly against the unconstitutionality of such unauthorised exercises of power by the executive, their dangerous tendency, the culpability of permitting them, &c. that no executive officer had the power to pledge congress to make good sums which he should raise and expend, without the authority of law, &c. &c.

Messrs. Cobb, Livermore, Taylor, Font, Clagett and Rhea, although not at all differing from the former gentlemen in the correctness of the doctrines they advanced, supported this appropriation, and justified the steps on the part of the executive which had called for it; arguing that congress had required of the executive expressly to have these buildings repaired and rebuilt; that they had felt and expressed dissatisfaction because the capitol was not in readiness at the last session for the reception of congress.

The question was then taken on the passage of the bill and carried, without a count, and the bill was sent to the senate for concurrence.

The bill to authorise the people of Missouri territory to form a constitution and state government, and providing for the admission of such state into the union, being the first order of the day, was announced by the speaker.

Mr. Taylor moved that the consideration of the bill be postponed to this day week, with the view of waiting the decision of the senate on the bill now before them on this subject.

This motion brought on an animated debate of considerable length, in which the propriety of waiting the movements of the other house, or of proceeding now to consider this bill, in which there

were various details to be considered and decided, besides the principle now under debate in the senate, &c. were discussed.

The motion to postpone the bill was supported by the mover and Messrs. Livermore, Clagett and Cushman; and the postponement was opposed by Messrs. Scott, Lowndes, Brush, Cook, Floyd and Campbell.

The question was at length decided in the negative, by yeas and nays.

For postponement

87

Against it

88

It was then moved by Mr. Holmes, that the house go into committee of the whole on the said bill; but before the question was put on this motion, the house, about 4 o'clock adjourned.

Tuesday, January 25—On motion of Mr. Allen, of Mass. it was

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of providing by law for securing to the several pensioners of the United States the benefits of their pensions, by exempting any moneys which may be paid on account of such pensions, from foreign attachment, set off, or other laws in the respective states, by which such moneys may be intercepted before the actual receipt of them by such pensioner.

Mr. Phelps offered the following resolution for adoption:

Resolved, That the committee on the post-office and post-roads be instructed to enquire into the expediency of providing, by law, that moneys received for postage shall be paid directly into the treasury of the United States, and that the post-master-general of the United States shall annually report to congress a list of all contracts which he may have made within the preceding year, for the transportation of the mails, and specify, in such report, the name and residence of each contractor, the amount to be paid him, and distance embraced in each contract.

After some little discussion, and once refusing to lay the resolution on the table, it took that course, and lies on the table.

The house then, on the motion of Mr. Scott, resolved itself into a committee of the whole, Mr. Baldwin in the chair, on the bill authorising the people of the Missouri territory to form a constitution and state government, &c.

Several important propositions were successively made in the course of the sitting, to amend the bill, and a great deal of discussion took place.

The committee rose without deciding on any question, obtained leave to sit again, and

The house adjourned.

Wednesday, Jan. 26—After other business—

Mr. Butler, of N. H. submitted a proposition to alter the time of meeting in the morning to eleven o'clock; which, after a few observations from several gentlemen, was ordered to lie on the table.

[The house now meets at 12 o'clock.]

The house then again went into committee of the whole, Mr. Baldwin in the chair, on the Missouri bill.

The proposition under consideration was an amendment, offered yesterday, to the 2d section of the bill, by Mr. Storrs, substantially, to alter the limits of the proposed state, so as to make the Missouri river the northern boundary thereof; [with the view of drawing a line on which those in favor of and those opposed to the slave restriction, might compromise their views.]

Mr. Storrs rose and withdrew the amendment which he had offered yesterday, and in lieu thereof submitted the following:

And provided further, and it is hereby enacted, That, forever hereafter, neither slavery nor involuntary servitude, (except in the punishment of crimes, whereof the party shall have been duly convicted,) shall exist in the territory of the United States, lying north of the 38th degree of north latitude, and west of the river Mississippi, and the boundaries of the state of Missouri, as established by this act. Provided, that any person escaping into the said territory, from whom labor or service is lawfully claimed in any of the states, such fugitive may be lawfully reclaimed, and conveyed, according to the laws of the United States in such case provided, to the person claiming his or her labor or service as aforesaid.

On this motion a debate ensued, of a desultory character.

Messrs. Randolph, Lowndes, Mercer, Brush, Smith of Maryland, Storrs and Clay, successively followed each other in debate.

The question being taken on the motion of Mr. Storrs, was decided in the negative.

The reading of the bill proceeded as far as the fourth section; when

Mr. Taylor, of New York, proposed to amend the bill by incorporating in that section the following provision:

Section 4, line 25, insert the following after the word "states": "And shall ordain and establish that there shall be neither slavery nor involuntary servitude in the said state, otherwise than in the punishment of crimes, whereof the party shall have been duly convicted: *Provided always*, that any person escaping into the same, from whom labor or service is lawfully claimed in any other state, such fugitive may be lawfully reclaimed, and conveyed to the person claiming his or her labor or service as aforesaid; *And provided, also*, That the said provision shall not be construed to alter the condition or civil rights of any person now held to service or labor in the said territory.

The main question of the restriction on slavery in the future state of Missouri, being thus fully before the house, and the usual hour of adjournment having arrived—

The committee rose, reported progress, and obtained leave to sit again; and

The house adjourned.

The debate on this main question will be commenced to-morrow by observations from Mr. Taylor, in support of his proposition.

THURSDAY'S PROCEEDINGS—JAN. 27.

In the senate—after other business,

The senate resumed the Maine and Missouri bill: and Mr. Ruggles, Mr. Trimble, Mr. Morrill, and Mr. Logan, successively spoke to the question before the house.

The further consideration of the subject was then postponed to to-morrow; when Mr. Roberts takes the floor again, in support of his motion for the restriction on Missouri.

The resolution proposing an amendment to the constitution of the United States, as it respects the choice of electors of president and vice president of the United States, and the election of the representatives in the congress of the United States, being read the third time—

After the failure of an attempt to amend the resolution—the question was taken upon it, and decided in the affirmative, as follows:

YEAS.—Messrs. Brown, Burrill, Dana, Dickerson, Eaton, Edwards, Horsey, Hunter, Johnson of N. Y. Johnson of Lou. King of Ala. King of N. Y.

Lanman, Logan, Macon, Mellen, Morrill, Otis, Palmer, Parrott, Pinkney, Sanford, Stokes, Thomas, Tichenor, Trimble, Van Dyke, Williams of Miss. Williams of Ten.—29.

NAYS.—Messrs. Barbour, Elliott, Gaillard, Leake, Lloyd, Lowrie, Pleasants, Roberts, Ruggles, Smith, Taylor, Walker of Ala. Walker of Geo.—13.

So the resolve passed by the requisite vote of two-thirds of the senators present, and was sent to the house of representatives for concurrence.

And the senate adjourned.

In the house of representatives. Mr. Floyd of Va. submitted for consideration the following resolution:

"Resolved, that the president of the United States be requested to cause to be communicated to this house, if in his opinion consistent with the public good; whatsoever information he may possess, relative to the extent of territory which the instructions of the minister plenipotentiary of his catholic majesty authorised him to cede to the United States in his negotiation with the secretary of state, which resulted in the treaty of 22nd of February last; and likewise at what period he obtained that information."

Which, after debate, the house refused to agree to, on the ground that the president had already communicated all the facts that he deemed important on this matter—ayes 67, noes 88.

The order of the day on the Missouri bill being announced—

Mr. Foot, of Connecticut, moved the postponement of the order of the day to this day week. His object was, in the mean time, to consider, in the hope of its adoption, a proposition for the prohibition of the further introduction of slavery west of the Mississippi. Should such a measure be adopted, the territories in that quarter would be placed on the same footing as the ordinance of 1787 had placed the north western territory. The question now agitated in congress might then perhaps be left to the good sense of the people of the states to be formed out of that territory; and should any question present itself on the subject of admission of slavery into any such state, it might be left for the proper tribunal, the supreme court, to determine it.

After debate, the motion to postpone was negatived, because it would only tend to procrastinate an interchange of opinions on the subject—and Mr. Baldwin was called to the chair, of a committee of the whole, on the bill for authorising the people of Missouri to form a constitution, &c.—Mr. Taylor's motion to amend the bill by imposing a restriction on slavery being under consideration—

Mr. Taylor, of New York, delivered a speech in support of his motion, which occupied about two hours.

Mr. Holmes of Massachusetts followed, and spoke some time against the right of congress to impose the restriction. Before Mr. H. had concluded he gave way for a motion for the committee to rise; and

The committee rose, obtained leave to sit again, and

The house adjourned.

CHRONICLE.

Fire at Savannah. The details of this dreadful calamity add little to the interest which the extent of the conflagration has already excited. There seems to have been a want of decisive measures at its commencement. The account says—"The season for four months (with the exception of two rains) previous to this incident, had been dry; the night

was cold, and a brisk breeze from W. N. W. which was soon increased by the effect of the fire.—Several of the adjoining houses were soon affected, and then almost instantly in flames—the wind now became strong, and whirled into the air, with agitated violence, large flakes of burning shingles, boards and other light substance, which, alighting at a distance, added confusion to the other terrors of the conflagration. The use of water was now rendered totally vain, its common extinguishing power seemed to be lost—torrents of flame rolled from house to house, with a destructive rapidity which bid defiance to all human controul; and individual exertions were from this time almost suspended, and principally pointed towards the securing private property."

At the market square, there was a hope of arresting it—but it was believed that large quantities of gunpowder were in some of the shops there, and the people abandoned this part of the town to its fate. Dreadful explosions, with the scattering of burning fragments, soon convinced the people that they had acted prudently. After this the element raged uncontrolled. This powder is said to have caused a loss of property to the amount of a million! A solemn warning to other cities, to see that the laws be observed.

It is ascertained that *four hundred and sixty three* tenements, not including out-buildings, have been destroyed, and upon a calculation nicely made, the positive loss is estimated at four millions of dollars—but the direct and indirect loss it is supposed will amount to ten millions!

Only two persons lost their lives and only two were injured during the fire.—The city council had directed the pulling down of the old walls and chimneys.

A list of the names of the sufferers is given—the names alone fill nearly a column in a newspaper.

The loss is so great that the liberality of the citizens of the United States cannot be expected to repair it, but something may be done to alleviate distress. At a public meeting of the citizens of Charleston, it was voted that the intendant (or mayor) of the city should immediately forward *ten thousand* dollars for the relief of the sufferers—5000 dollars was also voted for the sufferers by the late fire at Wilmington, N. C.

Shipwrecks. We seldom recollect to have heard of so many disasters as have recently happened on our coast, and to the loss of property, from the severity of the weather, the loss of life is often mournfully added. In one vessel from Halifax for Boston, 17 persons were lost. The Helen, from Bordeaux for New York, was also wrecked, and 6 passengers, the captain, steward and cabin boy, either drowned or frozen to death.

New York. At a meeting of 64 members of the legislature of New York, convened for the purpose of recommending a suitable candidate in opposition to Mr. Clinton, as governor of the state, vice president *Tompkins* was almost unanimously agreed upon at the first ballot, having 52 votes. The election comes on in April next.

Certain reductions of salaries are contemplated, by which there will be a saving to the state of 50000 dollars a year.—Yet the salaries would still appear to be liberal. The members of the legislature are to receive four dollars a day.

Delaware. Mr. Mollenst, who was elected governor of this state, having died before he entered upon the duties of his office, it was thought that the question, who should be governor? would be solved with difficulty, as the constitution made no pro-

vision in a contingency like this—but we see that the speaker of the senate, Jacob Stout, esq. has assumed the duties of the office.

The U. S. ship *Erie* arrived at New York last week, from the Mediterranean. —Left the squadron all well. Passengers com. Macdonough, capt. Bal- kerd, capt. J. Nicholson, capt. Gallagher and lieutenant. Page, the gentlemen who composed the court martial about whose proceedings some differences have occurred.

Cotton, in considerable quantities, is expected at Cincinnati from the northern parts of Alabama.

Maj. *Bradford*, who commands at the United States post on the Arkansas, has interposed his authority and prevented a war between the Cherokees and the Osages—causing the former to restore certain prisoners and horses which they had stolen from the latter. The garrison at this place has principally supplied itself with provisions—Buffalo is plenty, and there was 4000 bushels of corn on hand.

The *military road*, opening from the Tennessee river to lake Pontchartrain, is nearly completed—that is, by far the most difficult part of the work has been performed. The two points of the road finished are now about 140 miles from each other, and it is expected that they will be united during the present winter.

Canada, (without designing to impute anything detrimental to the character of the civil government or people thereof) has long been the general asylum of *unauthorised* counterfeiters of money, in the shape of bank notes. Several banks have lately been established in Canada, and we see that counterfeiters on the bank of Quebec are already in circulation.

Fire. The valuable cotton mill, belonging to the Putapsco company, of Baltimore, and situated about nine miles from this city, was burnt on the morning of the 21st inst.—supposed to be the work of an incendiary. Loss \$200,000. It was one of the best mills in the U. S. and by its destruction many persons are thrown out of employment.

Oysters. A tavern keeper at *Buffalo*, on lake Erie, advertises that he furnishes "oyster suppers to parties of gentlemen, in the first style, at short notice!" Buffalo was such a remote point before the late war, that it was hardly known even to the people of New York.

Major general Ripley has resigned his command in the army, and intends to settle in Missouri.

Baratavia. We learn that Lafitte has lately received a commission from gen. Long—that he (Lafitte) has four or five small vessels, generally cruising, and about 2 or 300 men. Two open boats, bearing commissions of gen. Humbert from Galveston, having robbed a planter on the Marmento river, of negroes, monev, &c. were captured in the Sabine by the boats of the U. S. schooner Lynx—6 of the men are now in custody awaiting their trial—one was hung by Lafitte. The Lynx also captured a small Galveston privateer and her prize, that had been for a length of time smuggling in the Marmento.

Died, at Charleston, S. C. on the 8th instant. Mrs. Starr Barrett, aged one hundred and twenty years—a Jewess, born in one of the Barbary states in the year 1699, but since the year 1780 a resident of Charleston.

—, on the 1st ult. near Annapolis, Md. Thomas Lane, aged 107 years—born within 5 miles of the place on which he died. Until a few months past was able to do considerable business on his farm.

NILES' WEEKLY REGISTER.

SUPPLEMENTARY TO NO. 22—VOLUME V.—NEW SERIES.

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

Legislature of New-York.

Speech of his excellency governor CLINTON, to the two houses of the legislature, at the opening of the session.

Gentlemen of the senate and of the assembly—

Since the last session of the legislature, the distresses of the community have continued to increase; and in consequence of the general uneasiness excited by this unpropitious state of things, meetings have been held in various places to solicit your interposition. Immediately on the termination of the late war, a fatal blow was given to the manufacturing interest by the importation of vast quantities of foreign fabrics, neither required by our wants nor our comforts. In all sections of the country, and in all descriptions of society, the progress of extravagance and luxury has been alarming. In individuals, expenditure has exceeded income; and in our collective capacity, as a nation, the aggregate value of our exported productions has been greatly inferior to the cost of foreign commodities. The demands of foreign markets for the products of agriculture have been diminished by a state of general peace; and the pernicious multiplication of banking institutions and the inordinate diffusion of a paper currency, have produced the most serious calamities. In cases of this description, government may alleviate but can never remove the evils. The conservative power over the general good is at all times vested in the great body of the people, and in the present crisis it consists, most emphatically, in the retrenchment of our expenses and in the augmentation of our industry. The sources of the prosperity of nations, as well as of the happiness of individuals, must be formed and cherished at home. The season of suffering cannot, however, be of long duration. A vast capital, now unproductive and unemployed, will soon be applied to animate the efforts of useful industry; and the renovating power, and enterprising spirit of our country, must predominate over the obstacles which have conspired to check its prosperity. Whatever measures you may adopt, will, I am confident, be marked by a sacred regard for private right and public utility. And I would suggest to you whether a portion of our funds might not be usefully employed in loans for the purpose of alleviating the pressure on the community.

The favorable condition of the treasury and the high credit of the state are equally subjects of congratulation. With the continuance of our present system of finance, we will, I am persuaded, be enabled to defray the expense of government, to evince the usual munificence of the state, and to prosecute our internal improvements without any resort to new burthens, and with a reduced rate of interest.

The law which was passed at the last session for the encouragement of agriculture, has fully realized the patriotic views of the legislature. The institution of a board to superintend that important pursuit, with information to receive and communicate useful information, and to dispense the means of valuable improvement, will always be considered an important era in our history; and the encourage-

ment of local institutions by the appropriation of a premium-fund for the best and most abundant products, has already excited an unrivalled spirit of emulation and exertion. Twenty-seven counties have drawn from the treasury the monies allotted for that purpose, and forty-one have established agricultural associations. The universal interest which this subject has created, and the extraordinary benefits which it has dispensed, may be seen in the exhibitions and competitions for premiums; in the combinations of practical and scientific men; in the luminous discourses of the presiding officers; in the vast collection of citizens at the places assigned for meeting; in the improved quality and increased quantity of our commodities; and particularly in such unprecedented and abundant products as to induce a belief that, in some instances, agriculture has nearly attained its utmost perfection, by raising the greatest possible quantity of produce, at the least comparative expense. The excellence of this system may, however, be greatly improved by extending the duration, augmenting the fund, and enlarging the power of the superintending board. A statistical survey, describing the actual condition, and developing the possible improvement of the state, may be easily effected through this institution; and I know of no measure better calculated to promote our cardinal interests, to encourage our agriculture, manufactures and trade; to illustrate our resources; to advance natural science and political philosophy; and to elevate the character of our country.

Experience has evinced the precarious and fluctuating nature of foreign markets for the disposal of our products. Even in the most prosperous times of our commerce, and in seasons of the greatest foreign demand, there was at least twice as much grain consumed in this state alone as was exported from all the United States. The principal surplus of agricultural productions, not required for the use of the agricultural interest, must be either consumed at home, or lost to the cultivator. Foreign commerce may co-operate in creating flourishing Atlantic cities; but internal trade must erect our towns on the lakes and rivers, and our inland villages; and internal trade must derive its principal aliment from the products of our agriculture and manufactures. As the protection of the foreign and of the carrying trade, two of the great branches of commerce, is exclusively entrusted to the national government, the state authorities cannot extend their power beyond the encouragement of the home trade, by cherishing the agricultural and manufacturing interests, and promoting the channels of communication; and the co-operation of the general administration for the attainment of these invaluable ends, is to a certain extent, all-important.

The reciprocal dependence of the great departments of productive industry, is a wise dispensation of Providence to extend the sphere of human usefulness, to animate and multiply the motives for activity, and to cement the fabric of human society. The successful progress of the important channels of communication now opening in the state, will have a benign influence, not only in producing facility and cheapness of transportation for the pro-

ceeds of labor, but also in creating markets for their consumption. Already do we perceive the establishment of villages on the borders of the great canal; and the raw materials of the husbandman, obtained with comparative ease and cheapness by the manufacturer, will be converted into articles of accommodation and comfort. This, in time, will establish, on a solid foundation, an important interest, which will use the fruits of agriculture, as well in the fabrication of commodities, as in the sustenance of human life. And thus, by the reciprocal action of benign influences, the great departments of productive labor will harmoniously co-operate in creating individual and national opulence. The carriers, buyers, and venders, of our commodities will constitute an important class in the interior; and the great accession to the other professions and pursuits, and the general augmentation of our population in consequence of our growing prosperity, will enable us to carry on a vast system of internal trade, which will in a great measure supersede the necessity of foreign markets.

The middle section of the Western canal, including a lateral canal to Salina, and comprising a distance of more than 96 miles, has been completed. On the 23d day of October last, the commissioners navigated it from Utica to Rome, and found their most sanguine expectations realized in the celerity, economy and excellence of the execution; and on the 24th November the Champlain canal was also in a navigable state. In less than two years and five months 120 miles of artificial navigation have been finished; and thus the physical, as well as financial practicability of uniting the waters of the western and northern lakes with the Atlantic ocean, has been established beyond the reach of doubt or cavil. The efforts of direct hostility to the system of internal improvements will in future be feeble. Honest and well disposed men, who have hitherto entertained doubts, have yielded them to the unparalleled success of this measure. But as there is great reason to apprehend the exertions of insidious enmity, I consider it my solemn duty to warn you against them. As the canal proceeds to the west, the country east will of course be accommodated, and in proportion to its progress to completion, in that ratio will it be considered more easy to combine a greater mass of population against its further extension. Attempts have already been made to arrest its progress west of the Seneca river, and it is highly probable that they will be renewed when the work is finished to the Genesee. As the benefits of artificial or improved navigation are rendered more obvious by experience, efforts will be made to obtain appropriations for great local accommodations, and while good men will endeavor to acquire them with honest views and for patriotic purposes, they will receive the countenance of persons of a different description, who, in furtherance of selfish designs, will strive to destroy the great fabric of internal improvements by withdrawing or dispersing the fund appropriated for its support.

Under a full persuasion that the honor and prosperity of the state imperiously demand the completion of the whole of this great work, and that if we are just to ourselves and to posterity, it will be effected in five years. I am happy to assure you that the decided and prudent measures of the canal commissioners in October last, are in full accordance with these impressions. At that meeting they directed that portion of the western section, which extends from the Seneca river to Rochester on the Genesee river, and that portion of the eastern section which commences at the eastern termination of the

middle section, and reaches to the east side of the Little Falls, to be marked out as part of the great western canal, and to be contracted for as such; and considerable progress has been already made in these important operations.

The whole length of the western section is about one hundred and sixty-three miles, and of the eastern about ninety-seven; and, notwithstanding the disparity of the distance, it is estimated that the expense of each will be about the same, making, in the aggregate, four millions of dollars. The object and tendency of that measure of the canal commissioners must be obvious; and policy as well as justice, concurred in recommending its adoption. By operating in both directions, a solemn pledge is given of our determination to finish the whole canal; sectional jealousies are allayed; the advantages arising from pecuniary expenditures are impartially dispensed; and every advance of the work, in either way, will facilitate communication. The completion of the middle section has already opened markets for a fertile and extensive region. The expense of conveying a barrel of flour by land to Albany from the country about the Cayuga lake, was more than twice as much as the exportation of one from New-York to Liverpool; and the difference between the former and the present cost of conveyance will not only remunerate the manufacturer, but afford an increased compensation to the agriculturalist, independently of the rise of the commodity in value, from its being furnished with a good market. It is believed that our Atlantic country will soon be supplied with salt from the west, cheaper than from abroad, and the revenue from the salt works, appropriated to the construction of the canal, already exceeds the most favorable estimates, and shews conclusively the importance of this communication to the accommodation of a vast country. In the progress of the canal, gypsum of the best quality has been discovered; and it is ascertained that this region contains a sufficient quantity of this invaluable mineral, for the supply of the whole United States. Heretofore, the principal ingredients of hydraulic mortar were procured at a great expense from abroad for the construction of locks; but a species of limestone has been found, dispersed over the whole country, admirably adapted for water cement, and entirely superseding the necessity of a foreign supply.—Stone for the construction of locks, culverts, bridges, and aqueducts, is also found in abundance; and it is confidently believed, as well from the geological character of this region, as from various other indications, that coal will be discovered amply sufficient for domestic uses and manufacturing establishments. The animation which this work, in its present unfinished state, has given to our internal trade, cannot be duly appreciated without the advantages of personal observation, nor can all its blessings be realized or displayed, until years of experience have passed away.

It is a subject of high felicitation to observe the energies of our sister states directed in a similar way to the promotion of the general prosperity. The Carolinas and Virginia have adopted wise and vigorous measures for the advancement of inland communication; and some of the western states have been equally decided and public spirited. An union of the waters of the Illinois river and Lake Michigan, and a connection between Lake Erie and the Ohio, in the direction of Sandusky and Scioto rivers, are seriously contemplated. While measures so honorable to our sister states must always command our best wishes, and secure our highest approbation,

Let us be deeply impressed with the importance of attending to improvements of a similar character. Communications between the waters of Lake Ontario and the western canal, between the river St. Lawrence and Lake Champlain, and between the Susquehannah river and the Seneca lake, will accommodate important and respectable portions of our population, deserving, as well from their enterprising industry as public spirited character, every attention from the government. The improvements of the Oswego river; the establishment of a harbor at Buffalo; and the draining of the Cayuga marshes, have received that consideration which was due to subjects so worthy of the favorable attention of the canal commissioners; and the results of their measures will be communicated to you as soon as possible.

The board of commissioners, constituted by an act of last session, to report a plan for improving the navigation of the Hudson river, have attended to the important business assigned to them. The low state of the waters was favorable to their operations, and evinces, beyond a doubt, the necessity of your benign interposition, (which indeed cannot be too earnestly inculcated) as you will perceive from the proceedings of this board, which will be presented to you.

By the act respecting navigable communications between the great western and northern Lakes and the Atlantic ocean, passed the 15th April, 1817, a tax of \$250,000 is directed to be imposed upon the lands lying within twenty-five miles on each side of the canals, from the Mohawk to the Seneca river, and from Lake Champlain to the Hudson. And by the act concerning the great western and northern canals, passed on the 7th of April last, this assessment is suspended until the further order of the legislature. In operations of this nature, it must necessarily follow that particular portions of territory will receive extraordinary benefits. But with the augmentation of their wealth, their ability to contribute to the public burthens will be proportionally enhanced, and consequently the taxes in other places will be correspondently diminished. And it is submitted to you whether it comports with the magnanimity of government to resort to partial or local impositions, in order to defray the expenses of a magnificent work, identified with the general prosperity.

The improvement of natural, and the prosecution of artificial navigation ought not, however, to divert your attention from the establishment of roads and bridges, so much demanded by the wants of new settlements, the convenience of all descriptions of people and the primary interests of society. Every judicious improvement of this nature increases the value of land, enhances the price of commodities, and augments the public wealth. In the varying state of things in new countries, which must necessarily arise from the flow of population, the extension of settlement and the fluctuation of capital, the application of different measures, at different times, may be requisite. A good government will always consider with peculiar benevolence the hardships and sufferings of the first settlers of a country; and its disposition to dispense relief will only be limited by the great landmarks of justice and public policy.

In order, however, to accomplish important improvements; to advance the great interests of productive industry; to establish the means of conveyance by land as well as by water; to disseminate literature and science; to patronize schools

academies, colleges, and learned institutions; to promote the views of benevolence in the administration of healing to the sick, of comfort to the poor and of instruction to the ignorant, it is necessary that a system of economy and retrenchment should be adopted and applied to all the measures of government and all the channels of expenditure. Good examples ought to emanate from those whom the people have honored with their confidence and invested with their authority. Considering the reduced prices of all the necessities and comforts of life, and the pecuniary distresses of the times, I think that the period has now emphatically arrived, when no objection ought to be made against a reduction of the compensation of the officers of government and the members of the legislature.—The application of economy ought to be general and impartial; and it is respectfully submitted to you, whether it be not advisable to shorten your sessions, as the expense of the legislative department exceeds that of the executive and judicial combined. And as almost all important statutes are passed at the close of your meetings, the short interval between that period and the ensuing election, renders it impossible for your constituents to obtain accurate information of the character of the laws and the conduct of their representatives, before they are called upon to pronounce an opinion by their suffrages. Under these impressions, it is suggested whether it would not be expedient to contract the duration of your session at least one half, and in furtherance of this important object, whether it would not be advisable to omit the answer to the speech of the governor. He is required by the constitution to "inform the legislature at every session" of the condition of the state so far as may respect his department, and to recommend such matters to their consideration as shall appear to him to concern its good government, welfare and prosperity, and custom has prescribed a personal instead of a written communication, perhaps as being most respectful to the representatives of the people. But answers are not demanded by the constitution, nor by expediency, and besides prolonging the session, and frequently interrupting its harmony, they exhibit formality and pageantry not altogether well adapted to the simplicity of our republican institutions.

With a view to illustrate the influence of our improvements in the administration of our civil and criminal justice, I have caused certain enquiries to be addressed to the clerks of counties and the district attornies; and their answers, which will be laid before you, contain some suggestions of an interesting character on the subject of our civil and criminal jurisprudence, and demonstrate the wisdom of the measures that have been adopted. It is certain that prosecutions, even in justices' courts with enlarged jurisdictions have greatly diminished, and that the extortions and oppressions of a few who derived their support from the tears of misfortune and the calamities of indigence, have been almost entirely suppressed. And I think it on this occasion due to justice to state that the provisions in these cases have received the decided approbation of the most respectable members of the legal profession.

In soliciting your attention to the recommendations heretofore submitted to you with respect to the amelioration of our penitentiary system, as well in its organization as its administration, I cannot but express my gratification at the arrangements for solitary cells, and separate dormitories in the state prison at Auburn. Great improvements must be

elicited by the lights of experience; and we have the satisfaction of knowing that our mild system, with all its imperfections, is better adapted to promote the ends of criminal justice than the sanguinary code which formerly disgraced our country. In no country in the world are there fewer robberies, arsons and murder, than in this, and our observation has shown that, while it is impossible to extirpate crimes, it is possible to diminish their number and to mitigate their ferocity. In addition to my former suggestions, permit me to recommend, as highly important, a moral classification of criminals, with distinctive appellations and accommodations, according to their grades of guilt. And if the pardoning power be confined to the best of the proposed divisions, a powerful appeal will be made to the hopes and fears, the enjoyments and privations of the prisoners, and a continual incentive to reformation will be in full operation.

As our present criminal code does not sufficiently provide against the consequences which may result from carrying secret arms and weapons, whereby human life may be endangered, or destroyed in sudden affairs or in premeditated injuries, I would suggest this subject to your consideration with a full persuasion that it is a delicate one, and that unless it is judiciously treated, an essential right of every free citizen may be impaired or invaded.

The bank for savings in the city of New York, instituted at the last session, to cherish meritorious industry, to encourage frugality and retrenchment, and to promote the welfare of families, the cause of morality and the good order of society, has already manifested its claims to your confidence by an accumulation of more than one hundred and fifty thousand dollars in small deposits; and by shedding a benign influence on society. The application of this institution to authorise loans on real estate, as well as any other provisions, subservient to its salutary objects, will undoubtedly receive your sanction.

Having had an opportunity to judge in a number of cases, from personal observation, of the condition of the militia, it has afforded me great satisfaction to witness their rapid improvement. There are several provisions which might be usefully adopted, and there are some defects with respect to the imposition and collection of fines and the dissolution of artillery companies, which require your notice. But as the consideration of all subjects relating to our physical force will necessarily be submitted to committees, a more detailed view can be presented to them, by the appropriate departments. At some turnpike gates, toll is demanded from the militia when repairing to their places of rendezvous. As this is a departure from a general rule, and an unnecessary increase of their burthens, I submit it to your consideration whether the evil ought not to be removed.

The pestilence which threatened the health of the metropolis, and which had commenced the work of destruction, was arrested, under the blessing of Almighty God, by the prudent and energetic measures of the board of health. A difference of opinion exists and much controversy has taken place with respect to the origin and nature of the disease. Without any reference to the merits of discordant theories, it is sufficient to observe that all unite in recommending the utmost attention to the purification of our cities. For, whether the disease emanate from abroad or originate at home, it is universally admitted that it is aggravated and extended by the want of cleanliness. The establishment of public baths and common sewers will have a most

salutary influence. A populous city, like New-York, can never furnish within its own limits the sources of pure and wholesome water. Aqueducts conveying waters from a distance have been used in all cities where the public health and the general comfort have been duly consulted. At different times the river Bronx and the Saw-mill Creek, in the county of Westchester, have been explored and examined in reference to the accommodation of the city of New York, and there is little doubt that both, if not either of those streams, will be amply sufficient. Whatever measures you may devise or whatever assistance you can render to promote the health of that important portion of our population will I am confident be cheerfully performed.

I present to you my cordial congratulations on the flourishing condition of our schools of education and seminaries of learning. From the primary institutions where instruction is initiated, to the colleges where it is consummated, the propitious influence of knowledge is observable. Much indeed has been done to promote the interests of education, but in such a case liberality will rarely degenerate into profusion. The stability and duration of republican government depend upon the ascendancy of knowledge and virtue. The mind duly enlightened, and the heart properly cultivated, can never submit to anarchy or despotism.

While on this important subject of instruction, I cannot omit to call your attention to the academy for female education which was incorporated last session at Waterford, and which, under the superintendence of distinguished teachers, has already attained great usefulness and prosperity. As this is the only attempt ever made in this country to promote the education of the female sex by the patronage of government; as our first and our best impressions are derived from maternal affection; and as the elevation of the female character is inseparably connected with happiness at home and respectability abroad, I trust that you will not be deterred by common place ridicule from extending your munificence to this meritorious institution.

The constitution of this state was formed nearly forty three years ago. And considering the circumstances under which it was established, in the midst of war and commotion, and without the benefits of much experience in representative government, it is not a little surprising that it is so free from imperfection. Attempts have been made at various times to call conventions to introduce alterations, which have only succeeded in a single instance, probably from an apprehension that an innovating spirit might predominate, and destroy instead of consolidating this temple of freedom and safety. Parties are the natural offspring of republican government. Wherever freedom exists, it will be manifested in differences of opinion with respect to the best mode of promoting public welfare. And when these contentions spread over society, they form parties; and mingling sometimes with private views and local interests, degenerate into faction, which seeks its gratification in violation of morality, and at the expense of the general good. And such is the proneness of human nature to cherish the spirit of contention, that we often see the continuance of parties after the cessation of the producing causes. While this state has made rapid and signal advances in prosperity, it has been more obnoxious to the excitement of party than any member of the federal union. Even during the gloomy periods of the revolution, this spirit was exhibited in a variety of shapes, and since that time it has scarcely ever ceased to agitate society. After giving full

weight to the operation of other assignable causes, we are forced to conclude that there is a radical defect in the constitution of our government; that it either wants some essential check against the progress of party, or that it contains in its arrangement the elements of discord and excitement. The assembly, which is the most numerous branch of the legislature and which is annually chosen, elects every year, from the senate, four persons, who, together with the governor, constitute a council of appointment. The offices in the gift of this council are remunerated by salaries or fees to the amount of a million of dollars annually. Combinations will be formed to obtain the control of this enormous patronage. And they will attempt to influence, in the first place, the elections of the people by dictating, under the forms and discipline of party; secondly, the selection of the appointing power; and thirdly, the operations of that institution. And when no leading measures of the government have been impeaced, and no important differences of opinion pretended, endeavors are not unusual to cherish the spirit of discord by conjuring up the shades of departed controversy, by appealing to the vindictive feelings of disappointment, or exciting the cravings of ambition and cupidity. With this principle of irritation in our constitution, the hydra of faction will be in constant operation, endeavoring to make its way to power, sometimes by open denunciation, at other times, by secret intrigue, and always by artful approaches. The responsibility of public officers is essential to the due performance of their trust, and is demanded by the properties of delegated power, and the best interests of the community. This council, as constituted, is almost entirely destitute of this requisite. The political tranquility of the state demands a different arrangement of the appointing power. And I have no hesitation in recommending a convention for this and such other purposes as may be imperatively required by the public welfare. And I do this under a full persuasion that the powers of the convention cannot transcend the objects committed to their cognizance by the concurrent act of the legislature and people:—that the land marks of security to liberty, property, religion and life, will be inviolably preserved and more firmly established; and that the measures which will be adopted will have a benign influence in preserving the harmony of the community and elevating the reputation of the state.

Your immediate attention in filling up the vacancy in the senate is required in consequence of the position of the United States, in relation to some of the powers of Europe. And while it is understood to be at all times the most important to select from our most enlightened and experienced statesmen for that high trust, it must be admitted that it is peculiarly so at the present crisis, whether we refer to our foreign or domestic concerns. The depression of our manufactures, the disordered state of our currency, the diminution of the national income, and the derangement of the commercial interest, demand the solemn consideration of the national government, and the exercise of the best talents of the country. But when we extend our view to foreign relations and consider the points which remain to be adjusted with Great Britain and Spain, the importance of a judicious selection is greatly enhanced. The pacific policy of the national administration is entitled to our cordial approbation, for we should be blind to our true interests were we to embark in hostilities even with a feeble power, unless a measure of this decided character is enjoined by considerations essentially

affecting the honor and welfare of the nation. Every year of peace will consolidate our strength, improve our resources, and increase our population. And by the uninterrupted progress of our internal improvements and continued cultivation of our primary interests, we shall before a long time present such a formidable power, that policy will unite with justice in conceding to us, without the application of force, all that we ought to require from foreign nations. But if, in the mean time, aggressions shall be committed of such a character that an appeal to the sword is demanded by irresistible considerations, I trust that there will be an entire union of sentiment and exertion in vindication of the violated rights and honor of our country. Nor can I conceal on this occasion, the deep anxiety which I feel, in a subject now under the consideration of the general government; and which is unfortunately calculated to produce geographical distinctions. Highly important as it is to allay feelings so inauspicious, and to cultivate the most friendly communion with every member of the confederacy, yet I consider the interdiction of the extension of slavery, a paramount consideration. Morally and politically speaking, slavery is an evil of the first magnitude; and whatever may be the consequences, it is our duty to prohibit its progress in all cases where such prohibition is allowed by the constitution. No evil can result from its inhibition more pernicious than its toleration; and I earnestly recommend the expression of your sense on this occasion, as equally due to the character of the state and the prosperity of the empire. The people of the United States are distinguished from all other nations by the exercise of the right of self government. Every authority proceeds directly or indirectly from them. From the primary assemblies of the people in town meetings to the county conventions of the supervisors or to the municipal authorities of cities or villages; and from their representatives in the state legislatures, to the delegates of districts or states in the congress of the United States, may be distinctly seen the legitimate source of all sovereign authority, the paramount ascendancy of the people. Seated in a country of vast extent, with a fertile soil and benign climate, adapted by nature for the display of the faculties and energies of man, and holding in their hands the destinies of free government, they are called upon to present a great example for the imitation of posterity and the benefit of the world, in the cultivation of religion and morality and the diffusion of knowledge, in the advancement of the arts and sciences, and in the promotion of all that can confer honor and happiness on nations.

But if they shall pursue a different course; if they shall shut their ears against the warning voice of truth, and their eyes against the light of experience, and rush precipitately upon the rocks and shoals which have hitherto shipwrecked the interests of the human race; then indeed will the hopes of patriotism and the prayers of benevolence be equally unavailing, and the brightest prospects that ever opened on the world be extinguished in darkness. Let us remember that in proportion to the faculties with which we have been endowed by Providence, will we participate in this responsibility; and let it be deeply impressed on our minds that we can never transmit a great example nor an illustrious reputation to future generations, without cultivating, with unremitted attention and primary devotion, those cardinal interests which constitute the happiness of individuals, and the prosperity of nations.

DE WITT CLINTON.

Albany, January 4, 1820.

Statistical Articles.

SPECIFIC APPROPRIATIONS. We have in a letter from the secretary of war, an "account of monies transferred, during the recess of congress, from sundry specific appropriations to other specific appropriations, by order of the president of the United States, during the year 1819, shewing also their application," &c. &c. The following affords a general view of the subject—

SPECIFIC APPROPRIATIONS.

From which transferred.	amount.	to which transferred.
Revolutionary pensions	200,000	half-pay pensions
Pay of the army	200,000	Q.m. department
do.	30,000	Ar'ges prior to July 1815
Balances due certain states	30,000	do.
do.	50,000	Indian department
Volunteers	24,000	Contingencies.
Forage	20,000	Subsistence.
	554,000	

UNITED STATES NAVY.

The following is an official list of the vessels of war of the U. States:

<i>Ships of the line.</i>		
Columbus	74	Independence 74
Chippewa	74	New Orleans 74
Franklin	74	Washington 74
<i>Frigates.</i>		
Constitution	44	Java 44
Congress	36	Macedonian 36
Constellation	36	Mohawk 32
Fulton (steam frigate)	30	Superior 44
Guerriere	44	United States 44
<i>Ships.</i>		
Alert	18	Louisiana receiving 18
Confiance	32	ship 18
Cyane	24	Ontario 18
Erie	18	Peacock 18
General Pike	24	Queen Charlotte 14
Hornet	18	Saratoga 22
John Adams	24	Block-ship 22
<i>Brigs.</i>		
Detroit	18	Niagara 18
Enterprize	12	Oneida 14
Etna	none	Ranger 14
Jefferson	18	Raven 14
Jones	18	Sylph 14
Lawrence	20	Spark 12
Madison	18	Spitfire, (bomb)
<i>Schooners.</i>		
Asp	2	Linnæ 16
Corporation	none	Lynx 6
Despatch	2	Nonsuch 6
Eagle	12	Porcupine 1
Fox	4	Surprize 6
Ghent	1	Ticonderoga 14
Hornet	6	Vengeance, (bomb)
<i>Sloop.</i>		
Lady of the Lake	1	

Of these, there are on the lakes two ships of the line, two frigates, four ships, ten brigs, and six schooners.

Barges, galleys, gun boats, &c.

At Sackett's Harbor, 15 barges, no armament.
At Whitehall, 6 galleys, 2 guns each.
At Boston, 1 anchor hoy.
At Newport, gun-boat No. 95.
At New York, gun-boat No. 8.
At Baltimore, 3 barges.
At Norfolk, gun-boats No. 72, 76.
At Charleston, S. C. gun-boats No. 158, 168.
At New-Orleans, Bull-Dog (felucca) 2 guns, and 2 launches.

TRADE WITH BERMDA. A statement of the trade between New York and the island of Bermuda, for

one year ending Sept. 30, 1819, has been submitted to the senate of the United States, by Mr. Sandford. During the year, 39 vessels cleared at New York for Bermuda, of which only 2 were British. The value of their cargoes, (provisions and lumber,) amounted \$127,280, and the duties on the goods received in return and by other vessels, amounted to 116,970; shewing that the value of the imports have been several times greater than that of the exports.

Boston—Bills of mortality for 1819, from the records of the board of health:

Total number of deaths in the town	789
do. at the alms-house and the town's	
poor, ages and diseases unknown,	192
Still born,	89.
	1070

Of the 789 above stated, 150 were under 1 year; 41 between 2 and 5; 38 between 5 and 10; 49 between 10 and 20; 125 between 20 and 30; 94 between 30 and 40; 72 between 40 and 50; 55 between 50 and 60; 45 between 60 and 70; 33 between 70 and 80; 16 between 80 and 90—of the latter only 3 were males.

Diseases of the 789—Consumption, 174; infantile, 147; fever—typhus, 108, pulmonic 46, malignant 32—other fevers 33; old age 29; dropsy 23; hydrocephalus inter. 23; dysentery 12; intemperance 11, &c. &c.

Manufactures of Connecticut.—At a meeting of a number of gentlemen from various parts of the state who are friendly to the encouragement of national industry, lately held in Hartford—a committee was appointed to procure returns from all parts of the state, of the present condition of different manufacturing establishments;—and although the returns are deficient, and many establishments are known not to have been reported, yet the following result appears:—

Cotton.—There are more than sixty cotton manufacturing establishments, containing 50,000 spindles—cost, \$1,500,000—are capable if all were employed, of manufacturing nine millions nine hundred and sixty thousand yards per annum, of common shirting, and other goods of like quality—of employing ten thousand persons exclusive of weavers—of paying out annually, eight hundred and fifty thousand dollars, for labor.

Woolen.—There are thirty-six woolen manufactories, (exclusive of five hundred clothier's shops) which are worth at the present valuation, \$400,000—these are capable of producing goods at present value in the amount of \$400,000 per annum—will work 160,000 pounds of wool per annum—will pay annually, two hundred and eighty thousand dollars for labor.

Iron—This article is not less important than cotton and woolen. With suitable encouragement (by protecting duties) from 4 to 500,000 dollars value might be annually made—a great proportion of its value would be paid out for the labor in manufacturing.

Glass, powder, and paper—Returns have been made from very towns, but from East-Hartford only, it appears that the capital employed in these three branches amounts to 80,000 dollars.—*Mirror.*

The whale fishery. A vessel which lately arrived at an eastern port, reports the names of fifty-seven American ships engaged in the whale fishery in the Pacific—with the names also of six French ships engaged in the same business, but evidently commanded by Americans.

FOR EMIGRANTS. A very useful little work has recently been published by Mr. Mellish, of Philadel-

phia, entitled, "Information and advice to emigrants to the United States: and from the eastern to the western states—illustrated by a map of the United States, and a chart of the Atlantic ocean." This small volume is especially interesting to reflecting emigrants from Europe. It is a plain statement of facts, more generally to be relied on than is to be found in any work of the kind that we have met with. It corrects many of the *raude* declarations of Mr. Cobbett, and we, believe, represents the things which it treats of as they really are. The volume ought to be extensively read by those intending to emigrate.

NEW YORK. The commissioners of the canal fund state their receipts, in 1819, as follows:

Loan of	\$175,000
Premium thereon of 1 1-2 per ct.	2,625
	177,625
Loan of	200,000
Premium thereon of 2 1-2 per ct.	5,260
	205,260
Loan of \$25,000 at par,	25,000
Duties on goods sold at auction,	111,319 04
Do. on salt manufactured in the western district,	54,410 69
Tax on steam boat passengers,	16,412 44
To which add the balance in the hands of the commissioners,	29,719 24

\$619,746 14

Payments in 1819.

To the canal commissioners,	\$587,467 09
For interest on loans,	38,836 64
For clerk hire, printing and stationary,	167 37

\$626,741 10

The monies loaned for making the canals, are as follows:

In 1817,	\$200,000
1818,	200,000
1819,	400,000

\$800,000

Wolf bounty, in N. Y. The amount paid in the last five years in bounties for the destruction of wolves, is \$38,259 50. The number of wolves destroyed is not stated, and we do not know the rate paid for them. The greatest amount was paid in Allegany county, \$5,627 50. In St. Lawrence and Steuben from 3,000 to 3,500. In Jefferson and Franklin, 2,177 and 2,445.

Revenues and expenditures of the state of N. Y.— Summary from the treasurer's report:

Balance due the state, Jan. 1, 1819,	\$102,994 60
Amount of receipts from that day,	1,215,438 06
	\$1,318,432 66
Amount paid since Jan. 1, 1819,	\$1,209,634 80
Balance in the treasury, viz.	
Bills of credit,	1,463 81
Specie,	107,334 05
	108,797 86

\$1,318,432 66

New York state records.—A report of the secretary of state, relative to the records in his office, was transmitted to the senate on the 5th inst. The report is accompanied with a catalogue of the records now in the secretary's office, embracing, books, maps, parchments and papers. They are divided into the following general heads:—

I. *Dutch colonial records*, including from the year 1630 to the year 1664, and part of the years 1673 and 1674, under governor Colve.

II. *English colonial records*, including from the year 1664 to 1776, and some proceedings in the city of New York from 1776 to 1783.

III. *State records*, including from the year 1776, to the present period.

The report and catalogue occupy forty-three folio pages.

Mr. Astor's claim.—On the 7th inst. the report of the *surveyor general* of the state of New York, relative to the lands claimed by John Jacob Astor, was laid before the assembly. The report states that HENRY LIVINGSTON had been employed, agreeably to a concurrent resolution of the legislature in April last, to survey the land in question; and that, from the survey thus made, the following statement shows the quantity of land considered as forfeited by Roger Morris and his wife, in the county of Putnam:—

Great lots Nos. 3, 5 and 9, containing acres	50,849
Deduct ponds of water,	1357
Highways,	420
Sold by Morris and wife,	600
	2,377

Which leave 48,472

The improvements and population are thus stated by Mr. Livingston, from his own and others observations.

		<i>Acres.</i>
In lot No. 3 are families 75, improved land,		4,600
5	320,	14,938
9	129,	7,348
Total families	524	Improved, 26,887
		Unimproved, 23,692

Amount as before, 50,849

This report also states, that the surveys and minutes of the commissioners originally appointed to sell these forfeited lands, are lost; and that it is now impossible to ascertain whether the whole has been sold by order of government. The best informed people in the county of Putnam, unite, however, in declaring their belief, that of the forfeited property in that county, the whole has been sold.

Port of New York. Report of foreign arrivals in the year 1819—

Total number, 993—viz 286 ships, 3 barques, 334 brigs, 2 ketches, 294 schooners and 64 sloops.

Under the following flags.

American—290 ships, 3 barques, 279 brigs, 2 ketches, 286 schooners, 63 sloops.

British—15 ships, 33 brigs, 4 schooners.

French—11 ships, 16 brigs, 3 schooners, 1 sloop.

Russian—1 ship.

Swedish—1 ship, 2 brigs.

Danish—5 ships, 1 schooner.

Dutch—1 ship, 2 brigs.

Bremen—1 ship.

Hamburg—1 ship, 2 brigs.

Total number of passengers—9,442.

A species of limestone has been discovered in working the canal through the state of New York, and since in many parts of the country, so well adapted for water cement as to supersede the necessity of importing, as heretofore done, at great expense, the principal ingredient of hydraulic mortar.

Philadelphia. The flour inspected in the quarter ending on the 31st ult. exceeded 130,000 barrels.

Baltimore inspections. In the quarter ending the 31st ult. there were inspected in the city of Baltimore—

183,329 barrels wheat flour
8,706 half barrels do.

361 barrels rye flour	
446 casks Indian meal	
2,403 barrels beef	
42 half barrels do	
967 barrels pork	
85 half barrels do.	
12,777 barrels herring	
362 do shad	
2,004 do mackerel	
207 half do. do.	
36 barrels codfish	
3,205 kegs butter	
1,879 do. lard	
379 casks flaxseed	
631 casks domestic liquors, large	
8,694 do. do. do. small	
466 do. foreign do. large	
1,141 do. do. do. small	
691 do. ullages	

JNO. HARGROVE, Reg. C. B.

Baltimore dispensary. This humane institution was founded in 1803, but in that year had only 234 patients--last year 3987! Whole number from the beginning, 30,663--of whom 25,388 were cured, 548 died--the rest negligent, dismissed, vaccinated, &c. It will be well indeed, if in "these hard times," an establishment which has been so beneficial to the poor, is continued with vigor to do good.

VIRGINIA. A joint committee of the legislature has reported that the following sums were received in the treasury during the year ending the 30th Sept. 1819

Revenue taxes, of 1818	441,397 86
Arrearages of taxes	16,998 99
Clerks of county courts	40,332 03
Clerks of superior courts	12, 01 03
Notaries public	2,942 58
Fines, and other monies to the literary fund	207,281 82
Militia fines	26,163 30
Inspectors of tobacco	12,833 56
Penitentiary agents	35,068 60
Divers persons on sundry accounts	1,257 69
Subscriptions to a monument to the memory of gen Washington	4,202 10
Unappropriated land	2,527 50
Redemption of land	1,635 15
Register of the land office	3,233 14
Board of public works	58,961 22
Revenue taxes of 1819	13,053 08
The balance in the treasury, Sept. 30, 1818	390,702 95

The total disbursements made during the same time amounted to \$1,137,783 40, leaving a balance in the treasury on the 30th Sept. 1819, of \$133,010 13. The chief items were as follows: literary fund 383,152 61; expenses of the legislature 104,041 09; officers of civil government 90,469 74; interest on debts 90,122 36; sinking fund 65,838 77; penitentiary 58,965 11; manufactory of arms 48,502 53; board of public works 66,472 68; criminal charges, including guards, and the removing of criminals to the penitentiary 40,779 95; commissioners of the revenue 32,545 22; new assessment 20,175 64; slaves executed or transported 16,025, &c. &c.

The committee report, that allowing to the treasurer every thing that he claims, he is deficient for the fiscal year in the sum of \$68,557 47. A further deficit is expected in the accounts since the 30th Sept. 1819. The treasurer tendered his resignation on the 17th inst.

The register of the land office appears to have fully vindicated himself against certain charges--and the resolution offered in the house of delegates,

directing measures to be taken against him, was withdrawn.

The plague. A Spanish physician named don Sebastian Sola, having obtained permission from his government to try experiments in inoculating for the plague on some Spanish deserters; he selected fourteen who were all inoculated with virus, taken from the plague sore of those persons in whom the disorder had assumed the utmost degree of malignity. They each received 12 pricks of the lancet in those parts of the body where the plague usually appears. Oil of olives was administered to them internally and externally. In a very short period, a part of those operated upon, experienced some slight attacks, and little sores were observable on different parts of the body. In a few days they were all restored to health. It is to be hoped that this kind of inoculation will prove as successful as that for the small pox.

London. The consumption of sheep and lambs in London, during the last twelve months, amounted in number to one million, sixty-two thousand, seven hundred. The number of horned cattle slaughtered, was one hundred and sixty-four thousand--and by the inspector's return, it appears, that the number of horse hides produced at Leadenhall market, amounted to twelve thousand nine hundred.

The sea serpent. The Gazette de France contains an extract of a letter from a Dutch merchant, who recently went to America, 'giving some account of the famous sea serpent which has appeared on the shores of the United States.' He says,

"We were sailing with a light wind, the land being about six miles distant, when all at once we felt a shock which made us think we had struck upon a rock. We however were soon undeceived by seeing above the waves, the head of the greatest monster I ever beheld. He raised himself about fifteen feet over the surface of the water, and, coming towards us, he glided across the stern of the vessel in such a manner as almost upset us. A cabin-boy who was near the bowsprit, was overwhelmed by the enormous mass. A sailor then advanced courageously and fired at the serpent with a carbine, but the ball rebounded from his scales, and appeared not to make the least impression upon him. The animal turning quickly, seized the sailor round the middle, and plunged with him under the water! Our tackle was broken, and our bowsprit almost unshipped. While we were occupied in repairing the damage we had sustained, we again saw the monster lying on the surface of the water, but we saw our unfortunate sailor no more."

This is the most miraculous of all the accounts we have had of this monster of the deep.

"Sports of nature." A youth 18 years of age, and nearly eight feet high, a young lady, 16 years old, and seven feet high, and a man 37 years of age and thirty-three inches high, were exhibiting at Liverpool, about the 1st of December last.

Production of Maine! A child, born in Maine, on the 29th of June, 1817, is now exhibiting at New York, which weighs 125 lbs. He is larger than either of his parents--three feet seven inches round the belly, and three feet one inch high; he is healthy and well proportioned.

Grand Isle. This valuable island in the Niagara river, ceded some time ago to the state of New York, by certain tribes of Indians, has been cleared of the intruders or "squatters" that had settled themselves down upon it. They amounted to about 20 families.

NILES' WEEKLY REGISTER.

NEW SERIES. No. 23—VOL. V.] BALTIMORE, FEB'Y 5, 1820. [No. 23—VOL. XVII. WHOLE No. 439

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

TRANSMISSION OF THE REGISTER. We have grievous complaints from sundry places in Virginia, and from some in Louisiana, of the non arrival of the REGISTER, while at other offices in these states every number seems to be received. They are all packed alike, and at the same time. We cannot remedy the evil, unless when gentlemen complain they would be so obliging as to endeavor to point out the reason of it—then an appeal may be made to the post master general to have the cause removed, which he will do, if he can. Going eastward, this paper is received at many of the most distant offices for years, almost without a solitary failure.

Our exchange list is exceedingly burthensome as well as expensive. Many publishers who receive the REGISTER must be sensible that their papers cannot be of any use to us, yet we have exchanged with all that have promised to pay the difference of price, but this promise has, in many cases, been neglected. Another reduction of the exchange list will be made at the close of the volume, which ends with this month.

The documents.—The present session of congress has been very productive of what are called documents, and we must give much credit to the present printers, Messrs. *Gales & Seaton*, for the accuracy and promptitude with which they have performed their part relating thereto: Several heavy articles furnished to congress are waiting room for insertion—and, by abstract and extract, or condensation, we shall endeavor to preserve all the facts belonging to those not given to our readers entire, which can be useful for reference. See "Statistical Articles."

THE MISSOURI-QUESTION. The *National Intelligencer* concluded, on Tuesday last, a sketch of the debate that took place in the senate, on the proposition of Mr. *Roberts* to separate the question on the admission of Maine from that on the admission of Missouri, with the nature of which our readers are already fully informed. In this debate, the merits of the main question at issue were very slightly touched. Those who were in the majority contended, that each of them presented themselves on the same principle, and should both be admitted in the same manner. This proposition was denied by the minority, and they instanced the case of Kentucky and Vermont, which were both admitted at the same session but with separate bills—and they also said that the circumstances of the two were materially different, even as to their boundaries, and in many other particulars. We shall reserve our room for some of the chief speeches on the main question—but, from the disposition that appears to prevail in congress to make speeches—it seems probable that it would occupy at least a complete volume of the REGISTER to give the whole! Two or three on a side, will contain nearly all that will be said, or can be said, without pure repetition, on the subject, and we shall not give any more.

It will be seen by the vote in the senate, that it has been determined, 27 to 16, that it is unconstitutional or inexpedient, or both, in the opinion of that body, to impose restrictions on the people of Missouri, as a condition of their admission into the union, in regard to the introduction of slaves. All the senators were present except Mr. *Horsey*, of

Del. who, the *National Intelligencer* says, it was understood would have voted with the majority.

Foreign relations.—Some surprise has been expressed because the committee on foreign relations have not yet made any report on the subject of our affairs with Spain—but we think that the committee has acted wisely in waiting for events. It is now said that the expected minister from Spain, *don. Vives*, was on his way to Madrid, to receive his instructions. But we do not calculate on this.

Foreign news.—No arrivals, bringing news, since our last, except a confirmation of the report, that 2 English line of battle ships, 1 frigate and 1 sloop of war, and a Russian squadron of 1 frigate and 3 corvettes, were at Rio Janeiro; at which place also a French squadron was said to be expected. What is the meaning of these things?

The Venezuelan brig *Libertador*, capt. Chitty, of 22 guns, has been captured as a prize and carried into Kingston, Jam. by a British sloop of war. The *Libertador* was taken without resistance.

The *Richmond Enquirer* says—"Mr. Niles should never stickle again for the constitution when he abandons it on the Missouri question." Such is Mr. *Ritchie's* opinion,—and for his opinions, generally, I have much respect; but I respect my own a little more than I do his, and must act upon them at discretion, whether they are agreeable to Mr. *Ritchie's* or not.

We made a mistake in our last paper, in saying that the resolutions which we reprehended, had passed the legislature of Virginia—even in the face of our own record of the transaction. They only passed the house of delegates—a substitute for them is before the senate.

THE RETORT COURTEOUS. Though I regularly receive the "PORT FOLIO" in semi-annual volumes, it is rarely, indeed, since it came under the management of its present royal editor, Mr. Hall, that I do any thing more with it than look at the pictures it contains and put it on the shelf, "in goodly row," to rest there in peace—and this indifference has been chiefly brought about by a knowledge of the fact, that Mr. Hall is so "choke full" of England and royalty, that, like the old Scotch parson, who even when exhorting his hearers to *charity* was sure to have a "whack at the pope," he would desire to introduce them into a description of the "bridge no bridge" which they talk of building from Windmill island to the Jersey shore, opposite Philadelphia:—Hence I did not know that Mr. Hall had noticed me in his last volume, until a friend directed my attention to it. Then I opened the book—the first article that attracted my notice was a gravely written thing of considerable length in favor of the LEGITIMACY OF KINGS—the next, a

*There is a long bar of sand or mud in the Delaware opposite Philadelphia, a small part of which only appears at high water, and round the head of which the numerous ferry boats have to go when the tide is out, making the passage to or from Jersey very tedious. The project which has been called "bridge no bridge," is to erect a bridge from the Jersey shore to the island—a subject of much discussion at Philadelphia, and in the legislature of Pennsylvania.

rude attack upon myself, ironically calling me "the patriotic Mr. Niles" and making it out as though it were an act of *patriotism* to misrepresent a fact—a fact too, which I had derived from repeated assertions in the Philadelphia newspapers, and which, to the extent that it was meant to convey an idea, I verily believe is yet true! Now, there is a *consistency* herein that I dearly love, and Mr. Hall certainly deserves credit for *this* quality. It never has entered into my calculation, that a native American who is an advocate for the doctrine of *legitimacy in kings*, could be my friend. Mr. Hall too, is as modest as he is consistent—for, having lately given us a facsimile of a letter written by general WASHINGTON, he caused his own hand writing and name to be copied on the margin, that posterity, holding dear as a relic the form of writing used by the father of his country, may also have the inexpressible satisfaction of knowing that John E. Hall had been at school and learnt to write a legible hand! But the moment I saw it, I felt it right to disappoint him by cutting it off—"Let there be a place for every thing, and every thing in its place," said Franklin.

The Public Lands.

A letter from the secretary of the treasury to the speaker of the house of representatives, dated the 21st ult. shews the number of acres of land sold at the different land offices, from their institution to the 30th Sept. 1819—the amount of moneys accruing and moneys received from such sales, and the sums remaining due, &c. The following abstract may serve all common purposes.

Lands sold north-west of the river Ohio, from the year 1800 to Sept. 30, 1819

acres	12,239,815
Amount sold for	dolls 26,492,261
Lands reverted	acres 649,058

Receipts by receivers—

For purchase money	\$16,679,405 54
forfeitures	306,282 49
	dolls 16,985,688 03
Balances unpaid	do 7,648,423 84

Lands, &c. west of the Mississippi.

Acres sold (1819)	1,133,424
Amount sold for	dolls 3,036,246 34
lands reverted	acres 74,532

Receipts by receivers—

For purchase money	\$ 833,541 03
forfeitures	17,166 34
	dolls 850,707 37
Balances unpaid	do 2,219,871 64

Lands in Mississippi and Alabama.—sales commencing in 1807.

Acres sold	4,792,156
Amount sold for	dolls 17,656,549 47
Lands reverted	acres 339,766

Receipts by receivers—

For purchase money	5,577,057 63
forfeitures	106,396 19
	dolls 5,683,453 82
Balances unpaid	do 12,132,362 16

Of the balances due, it is estimated that one fourth is payable in each of the years of 1820, 1821, 1822 and 1823. But the many special acts of congress to procrastinate payments, renders the receipts uncertain.

During the year 1820 it is supposed that the sales of public lands in Ohio, Indiana, and Illinois will be "considerable."—In the states of Mississippi and Alabama, and in the districts west of the Mississippi, the receipts are not expected to be so great.

A FEW GENERAL REMARKS.

The public lands of the United States, from their richness and extent, are justly entitled to the attention of the nation, and the policy with which they are disposed of, is worthy the consideration of our most profound statesmen. They afford a vast resource of the most solid nature, and constitute a large part of the wealth of the republic. There have been extensive gambings in them, as well as in our banks—the same spirit to make a fortune at once, has prevailed in respect to them, no matter who suffered; but as in the other case, the suffering fell upon innocent labor, and prevented many poor men from advancing their fortunes by honest industry so rapidly as they might have done, but for the monopolies of certain capitalists or gamblers without capital—for, as banks have been established on a sum of money sufficient to pay for engraving the plates and to purchase the paper for notes, &c.—so men, who could by any means obtain cash enough to meet the first payment, have purchased lands sufficient for a German principality—and then, if they could not sell to advantage before the second payment became due, they united their strength and have teased congress into numberless special acts to procrastinate the periods of their contracts; and this has been done so often that it seems only necessary to ask for an extension of credit and receive it—which is, in a fact, to offer a bounty to speculation.

The defects and difficulties of the present system have long been acknowledged, and it was at one time thought that the important bill introduced by Mr. Morrow into the senate of the United States, requiring cash payments for the public lands, would have been passed into a law. This might have checked emigration, but would have introduced into the new states and territories a much larger proportion of the most valuable classes of settlers.

We hope that some modification of the system may take place, and believe that the following scheme might meet the views of all persons for whom the government ought to have any regard:

Let there be two classes of purchasers of the public lands, settlers and non settlers. The first to be entitled to credit, the other to pay down the amount of the purchase money at once.

As a settler, no person shall be allowed to purchase more than a section, or 640 acres of land, to be paid for $\frac{1}{4}$ in cash, and the balance in three annual payments, with the understanding that these periods cannot be extended. On making the second payment, and in each year thereafter until the payments are completed, he shall afford sufficient proof to the Receiver of public monies that his place of residence is upon the said tract of land—that it is *bona fide* held for his own use, and make affidavit that he is not owner or part owner, of any land or lands, exceeding the amount of 640 acres, sold by the United States, on which the purchase money has not been paid. And, before any person shall be entitled to a credit upon land, he shall file a declaration, that he is not at that time, directly or indirectly interested as owner of any lands, purchased by himself or others of the United States, on which the purchase money, has not been paid, and that it is his intention to settle upon the tract now entered to his name, within twelve months thereafter. The best possible testimony may be required by the Receiver as to the facts stated, under suitable penalties for frauds in the premises. All individuals or companies who cannot subscribe this declaration, or purchasing more than 640 acres, to pay the

whole purchase money at the time and place of sale.

The amount of the monies now owing to the United States for lands—almost *twenty three millions of dollars*, imperiously demands the adoption of measures, at least to prevent an increase of the sum—and we presume that this may be accomplished, without detriment to those whose interest it is the duty of a paternal government to guard.

It is also the dictates of a sound policy we apprehend, to present a check to the greater spread of our population for sometime to come, by refusing to open new offices in new territories. The vacant lands belonging to the United States in Ohio, Indiana, Illinois, Louisiana, Mississippi and Alabama, and the Missouri and Michigan territories, are ample to supply the fair demand by all descriptions of emigrants for twenty years, perhaps; and any further scattering of our people must tend to weaken the effective force of the nation without benefiting individuals. Arrangements should, however, be made to prevent our lands from being *squatted* upon—which it is presumed may be easily done, when it is certainly known that in such and such parts of our territory no one can have a right of property.

The Tammany Society of New York.

We have a copy of the "*Address of the Tammany society, or Columbian order, to its absent members, and the members of its several branches throughout the United States,*" pursuant to a resolve of the society to appoint a committee "to take into consideration the subject of *national economy and domestic manufactures,*" &c.

The best that we can say of this address is to call it a truly *republican* production—not in the cant or party meaning of the term, but as consonant with the genius and spirit of our constitutions and laws. It is unadorned, except with the simplicity of truth, and beauty of perspicuity—intelligible to the meanest capacity, yet deserving the attention of the scholar. The character of its composition is such as we should like to see adopted for a *national style*. There is a manifest honesty and real plainness in it, that is exquisitely pleasing.

At some future time, perhaps, we may have the pleasure of publishing this pamphlet in the REGISTER. It is noticed now chiefly for the purpose of introducing the following article from the *National Advocate*:

NATIONAL ECONOMY.

At a meeting, held by the Tammany society, some time ago, a pamphlet was written and adopted on the subject of the embarrassments of trade, the necessity of encouraging domestic manufactures, and other incidental topics, connected with the times; copies of which were ordered to be transmitted to several distinguished citizens, from whom answers have been received, which, as they relate to its objects, have been ordered to be published by the society. The pamphlet was written by John Woodward, esq. of New York, and is justly considered a very able production, not alone in reference to the great objects which it embraces, but for the sound republican principles which it inculcates. The reply of Mr. Madison will be found peculiarly interesting.—*N. Y. Nat. Advocate.*

Quincy, Dec. 9, 1819.

Sir: I have received the favor of an obliging letter, which you did me the honor to write me on the 29th November—be pleased to present my thanks

to the society of Tammany, or Columbian Order, for this honorable mark of their attention.

I admire the frankness and fortitude, with which they have censured a multitude of errors and abuses in the policy, morals, and manners of this nation; no satire can be too severe, no condemnation too inexorable, for my taste, on these topics.

I wish you and your society success in discountenancing all pernicious customs and usages, and all deviations from a wise and virtuous national economy. With great respect, I have the honor to be, sir, your most obedient humble servant,

JOHN ADAMS.

Clarkson Crolins, esq.

Thomas Jefferson returns his respectful thanks to the president and members of the Tammany society, for the favor of their address on the subjects of economy and manufactures.—He has read it with pleasure, and finds in it much to approve, little to doubt, and less to add—perhaps, he should have added, the suppression of drawback among the remedies for the disease of over-trading ourselves. It is desirable we should employ so much of our capital as is necessary for exchanging our superfluous produce for the comforts we want; but the drawback goes further, and encourages the employment of an additional portion in employing the same functions for other nations, in becoming brokers of the commerce between the nations of Europe, and between Europe and Asia, a branch which, more than all others, exposes us in the risk of embroilment in foreign wars. He thinks this portion of capital would be better employed at home in manufactures and agriculture, than in burthening us with the wars which belong to their commerce, and which should be theirs not ours. The moment too seems favorable, when all fictitious capital is extinguished, and the solid is pausing to see the issue of the present crisis of our gambling commerce. He prays the president and society to accept his assurances of high respect and consideration.

Monticello, Dec. 10, 1819.

Montpelier, Dec. 1819.

I have received, sir, the copy of the address of the society of Tammany, with which I have been politely favored.

The want of economy in the use of imported articles enters very justly into the explanation given of the causes of the present general embarrassments. Were every one to live within his income, or even the savings of the prudent to exceed the deficits of the extravagant, the balance in the foreign commerce of this nation could not be against it. The want of a due economy has produced the unfavorable turn which has been experienced.—Hence the need of specie to meet the call on the vaults of the banks, and the discontinuance of their discounts, followed by their curtailments: Hence too the failure of so many of the banks, with a diminished confidence in others: And hence, finally, a superabundance of debts without the means of paying them.

The address seems very justly to charge much of the general evil, by which the banks themselves have been overwhelmed, on the multiplicity of these institutions, and a diffusion of the indiscriminate loans of which they have been the sources. It has been made a question, whether banks, when restricted to spheres in which temporary loans only are made to persons in active business, promising quick returns, do not as much harm to imprudent, as good to prudent borrowers.—But it can no lon-

ger be a doubt with any, that loan offices, carrying to every man's door, and even courting the acceptance of, the moneyed means of gratifying his present wishes, under a prospect or hope of procrastinated re-payments, must, of all devices, be the most fatal to a general frugality, and the benefits resulting from it.

The effect of domestic manufactures in diminishing imports, and, as far as they are carried on by hands attracted from abroad, or by hands otherwise idle or less productively employed, without a proportional diminution of exports, merits certainly a distinguished attention in marking out an internal system of political economy, and in counteracting a tendency in our foreign commerce to leave a balance against us. The relief from this source would be more effectual, but for the circumstance that the articles which contribute much to the excess of our imports over our exports, are articles, some not likely soon, others not at all, to be produced within ourselves. There is moreover a feature in the trade between this country and most others, which promotes not a little an unfavorable result. Our exports being chiefly articles of food, for manufactures, or for a consumption easily surcharged, the amount of them called for never exceeds what may be deemed real and definite wants. This is not the case with our imports. Many of them, some the most costly, are objects neither of necessity nor utility, but merely of fancy and fashion, wants of a nature altogether indefinite. This relative condition of the trading parties, although it may give to the one furnishing the necessary and profitable articles, a powerful advantage over the one making its returns in superfluities, on extraordinary occasions of an uninterrupted intercourse, yet, in the ordinary and free course of commerce, the advantage lies on the other side; and it will be the greater in proportion to the lengthened credits on which the articles gratifying extravagant propensities are supplied. Such an inequality must, in a certain degree, control itself. It would be completely redressed by a change in the public preferences and habits, such as is inculcated in the address.

In not regarding domestic manufactures as of themselves an adequate cure for all our embarrassments, it is by no means intended to detract from their just importance, or from the policy of legislative protection for them.

However true it be in general, that the industrious pursuits of individuals ought to be regulated by their own sagacity and interest, there are practical exceptions to the theory, which sufficiently speak for themselves. The theory itself, indeed, requires a similarity of circumstances, and an equal freedom of interchange among commercial nations, which have never yet existed. All are agreed, also, that there are certain articles so indispensable, that no provident nation would depend for a supply of them on any other nation. But besides these, there may be many valuable branches of manufactures, which, if once established, would support themselves, and even add to the list of exported commodities; but which, without public patronage, would either not be undertaken, or come to a premature downfall. The difficulty of introducing manufactures, especially of a complicated character and costly outfit, and above all, in a market pre-occupied by powerful rivals, must readily be conceived. They appear, accordingly, to have required, for their introduction into the countries where they are now seen in their greatest extent and prosperity, either the liberal support of the go-

vernment, or the aid of exiled or emigrant manufacturers, or both of these advantages.

In determining the degree of encouragement which can be afforded to domestic manufactures, it is evident that, among other considerations, a fair comparison ought to be made of what might be saved by supplies at home during foreign wars, to say nothing of our own, with the experience of supporting manufactures in times of peace, against foreign competitions in our market. The price of domestic fabrics, though dearer than foreign, in times of peace, might be so much cheaper in times of war, as to be cheaper also than the medium price of the foreign, taking the two periods together. Yet the American manufacturer, if unprotected during the period of peace, would necessarily be undermined by the foreign; and he could not be expected to resume his undertaking at the return of war, knowing the uncertainty of duration, and foreseeing his certain ruin at the end of it. Estimates on these points cannot be made with much precision, but they are not on that account to be overlooked; and in making them, a strong leaning ought to be indulged towards the policy of securing to the nation independent resources within itself.

If I have extended these remarks beyond the proper limits, I must find my apology in the nature of the subject, and in the tenor of your letter; for which I pray you to accept my acknowledgments, with my respects and good wishes.

JAMES MADISON.

Clarkson Crolius, esq.

Prohibitory Duties.

Letter from the secretary of the treasury, transmitting to congress a report on the subject of prohibiting the importation of cotton, woolen, and iron manufactures, and his opinion of the effect such prohibition will have on the revenue of the United States.

TREASURY DEPARTMENT,

27th January, 1820.

Sir—In obedience to a resolution of the house of representatives, of the 4th instant, directing the secretary of the treasury "to inform the house what reduction, in his opinion, it will make in the revenue, if the importation of cotton and woolen manufactures, and iron, be prohibited, and in what manner the deficit in the revenue may be supplied, should the prohibition be made," I have the honor to submit statements of the amount of revenue which accrued from those articles, from the year 1815 to 1818, inclusive.

The very great difference in the amount of revenue which accrued during those years, renders it difficult to determine what the reduction would be, should the prohibition be enforced. It is probable that the deficiency, for a number of successive years, would amount to the average sum of six millions of dollars.

If an increase of the rate of duty would necessarily augment the revenue in the same proportion, the deficiency might be readily supplied. But reason and experience forbid the expectation of such a result. The importation of foreign merchandize is regulated by the capacity of the importing country to pay an equivalent for them. Any increase of duty diminishes this capacity. When carried to an extreme, it amounts to prohibition. But the revenue will frequently be diminished by an increase of duty, when the consumption of the article is not diminished. Whenever the duty is raised so high as to equal the risk incurred by an attempt to in-

A statement of the Duties arising in the years 1815, 1816, 1817 and 1818, on the importation of articles of Iron manufacture, paying a specific duty, with the amount of Drawback annually paid on their re-exportation.

ARTICLES.	1815.			1816.			1817.			1818.		
	Amount of duties.	Amount of drawback.	Net amount	Amount of duties.	Amount of drawback.	Net amount	Amount of duties.	Amount of drawback.	Net amount	Amount of duties.	Amount of drawback.	Net amount
Anchors and sheet	68,249	:	68,249	19,658	292	19,366	2,904	:	2,904	3,637	692	2,945
Silt and hoop	38,170	244	37,926	77,239	3,631	73,608	24,631	3,405	21,226	48,192	8,130	40,062
Nails	39,566	2,704	36,863	91,789	5,151	86,638	44,139	8,047	36,092	7,352	443	7,795
Spikes	4,296	1	4,295	14,387	1,117	13,270	6,898	1,019	5,879	92,319	11,025	81,294
Bar and bolt rolled	:	:	:	63,407	11,384	52,023	24,686	24,686	23,872	213,374	4,323	209,051
hammered	:	:	:	193,188	4,998	190,190	160,442	6,127	154,315	14,042	58	13,984
Pig and castings	:	:	:	:	:	:	:	:	:	48,902	41,762	7,140
Sheet, rod and hoop	:	:	:	:	:	:	:	:	:	427,888	28,811	399,077
Total	130,281	2,948	147,333	461,668	26,573	485,095	287,572	43,284	244,288	427,888	28,811	399,077

TREASURY DEPARTMENT, Register's office, 7th January, 1820.

JOSEPH NOURSE, Register.

produce dutiable articles illicitly, smuggling, upon an extensive and systematic plan, commences. In that case, not only their consumption, but the capacity to pay for them, may be increased, whilst the revenue may be diminished.

Considering the facilities which the extent of our coasts and frontiers, and the numerous harbors, bays, inlets, and rivers, by which they are indented, furnish for the illicit introduction of foreign merchandise, the settled policy of the government has been to diminish, as far as practicable, the temptation which high duties would furnish to take advantage of these facilities. Should the existing duties be considerably raised, there is just ground to apprehend that the revenue would be reduced, rather than augmented, by the change. Indeed, there is just reason to believe, that, with the present rate of duty, the practice of smuggling is gradually increasing. Any attempt to raise the deficiency which will be produced by the prohibition under consideration, by an increase of duty upon the articles which will still be imported, will greatly increase the expense of collection, by the necessity which it would create to employ a greater number of officers of the customs, to guard against smuggling, and eventually fail to augment the revenue to the required extent. The principal reliance for supplying the deficiency which would be produced by the adoption of the measure contemplated by the resolution, must, it appears to me, be placed in a system of internal duties, or direct tax.

In aid of either of these modes of augmenting the revenue, a small addition might be made upon the rate of duty now paid upon linens, manufactures of hemp, stuff goods, coffee, brown sugar, teas, wines, molasses, spices, and other small articles. If a system of internal duties should be deemed at this time advisable, an entire prohibition of ardent spirits might be adopted, without material injury to the revenue, and with manifest advantage to the agricultural interest. In that event, the revenue which has been heretofore received from the duties imposed upon foreign spirits, might be collected from domestic spirits.

I have the honor to be, your most obedient servant,

WILLIAM H. CRAWFORD.

Honorable speaker
of the house of representatives.

A statement of the duties arising on imported merchandise, paying an ad valorem duty of 25 per cent. to 30th June, 1819, of which woolsens and cottons form almost the exclusive articles, for the years 1815, 1816, 1817, and 1818, with the amount of drawback annually paid on re-exportation.

YEARS.	Amount of duties.	Amount of drawback.	Net amount
	DOLLS.	DOLLS.	DOLLS.
In 1815,	17,813,277	189,768	17,623,509
1816,	11,013,142	981,791	10,031,351
1817,	4,967,503	644,633	4,322,850
1818,	6,753,008	534,507	6,218,501

NOTE.—The treasury records do not afford any means of ascertaining the amount of duties, so as to distinguish woolsens from the various descriptions of cottons, whether from India or Europe; nor of cotton yarns from cotton piece goods.

Treasury department,

Register's office, Jan. 6, 1820.

JOSEPH NOURSE, Register.

Miscellaneous.

A novelty. We observe in a list of the contracts made by the commissioners of the navy, that *shillings* and *pence* are used to designate the amount of value given for certain commodities at New York.—What is a *shilling* and how much is a *penny*, by the *laws of the United States*? It may well be wondered at, that the commissioners did not refuse a contract offered in this manner, or direct that it should be made out intelligibly. We are seeking a national character, and no part of the community has done more to build it up than the navy—let the commissioners then be consistent with themselves, and give us nothing but what is rational. I am very certain that this anti-national or local currency was accepted inadvertently—but if the money denominations of the nation is not used in the public contracts of the nation, why has a law in respect to it been passed? We again ask what is a *shilling*? In New-York it was, or is, 12½ cents; in Massachusetts, &c. 16 cents 4 mills; in Pennsylvania, &c. 13 cents 3 mills; in South Carolina, &c. more than 22 cents—in England the same; in Ireland nearly 20, &c. *But a dollar is a dollar, every where.*

PAUPERS. We have an exhibit of the cost of the paupers of Bucks county, Pennsylvania. Those maintained in the house were 46 males, 45 females and 36 children, besides 59 out-door paupers, in all 186. A farm is attached to the establishment, on which last year was raised about 1100 bushels of wheat, rye, corn, &c. with 550 bushels of potatoes, &c. &c. at the cost of 350 dollars paid for labor thereon. The gross expenditure amounted to ten thousand nine hundred and eighty-three dollars and ninety-three cents. From which being deducted the sum of \$426 70, for articles sold, &c. leaves for the actual cost of the institution \$10,537 23—or the average sum of 56 dollars and 75 cents for each person maintained. The population of Bucks county is probably about 36,000—so the ratio of paupers is as one to 190.

SPONTANEOUS COMBUSTION. *From the Baltimore Morning Chronicle.*—At my mills there was an iron kettle, used for holding ashes—it had remained with ashes in from the 5th mo. to the 9th mo. at which time flaxseed oil was by accident spilled into the ashes; in about 24 hours the ashes were found to be on fire, and wishing to have it fully ascertained, whether it was the oil which occasioned the ashes to take fire, I filled a kettle with cold dry ashes, in which I poured a pint of flaxseed oil, and in 24 hours I examined it, and found that, as far as the oil had penetrated, the ashes were in a state of combustion, and, applying some shavings and chips of wood, it immediately caused them to blaze.

From an apprehension that many buildings have been consumed by fires from the foregoing cause, I have been induced to give publicity to the fact.

JOSEPH ATKINSON.

Ellicott's Patapsco Mills, 1 no. 22d, 1820.

Army of the United States.

Report of the adjutant and inspector general of the army of the United States: exhibiting a comparative view of the army expenditures before the late war, and the estimated appropriations for the service of the year 1820.

ADJ'T. AND INSP. GEN'S. OFFICE,

January 13, 1820.

SIR—By your order, I have the honor to lay before you a comparative view of the current expen-

ditures of the peace establishment of the army, since the reduction in 1802, (marked A. and B.)

In making these tables, I have been governed by the appropriation laws of the different years, the various army organizations, the general returns of the army, for the same years, and the estimates reported to congress for 1820.

Although my last general return of the army, printed in a report of the military committee of the house of representatives, explains, pretty fully, the data on which I estimate the average army aggregate, of this year, at 10,000, it must be observed that the term of enlistment being five years, the number of discharges, after this year, will be about one-fifth of the whole force annually, and will require two thousand recruits to keep up the establishment. But, as the number entitled to discharge in 1820 does not exceed three hundred, there having been no enlistments after the peace till 1816, and more than 4,000 having been recruited during the last year, it appears, the same success would make the army aggregate near 13,000 at the close of this year.

From this, however, must be deducted the deaths, desertions and other casualties. The desertions alone, during the last year, in some regiments, exceeded one-fifth of the whole, and have kept the army far below the organization. A detachment of one hundred recruits, wanting to fill up a regiment, when officers were put on that service, have not, on joining, increased the strength of the corps; thus, more men are always paid than can be included in the general return.

I have confined myself, as required, to the peace establishments since 1802; but, I do not deem it improper to observe, that, when all Indian wars had been successfully terminated by the troops under general Wayne, there were left in service, besides a regiment of artillery and engineers, and a squadron of cavalry, four regiments of infantry, which composed the peace establishment of 1797.

I also take the liberty to mention a fact, which may deserve notice, in considering the items of the quartermaster's and medical departments, in the required appropriations for this year. The destructive consequences of the campaign on the Mississippi, in 1809-10, (designated the *Terre au Beuf Campaign*), were attributed to the want of supplies, officers, and money in those departments. That campaign was made a subject of investigation by congress. I have no copy of the documents, but it is distinctly in my recollection, that the deficiencies in the quartermaster's and medical departments made a strong point in the defence of the commanding general.

The enclosed tables give a concise view of the expenditures of the peace establishments from 1802, and shew, distinctly, the several organizations since that time. The deductions proposed in the note to the table marked A, shew, that the army will cost \$302 88 per man, including officers, under the present organization, for the year 1820: more than eighty dollars per man less than for the three years preceding the war, and only \$10 7½ per man more than in the earlier period, stated in table B, when every thing was at the minimum, and the men seldom marched out of sight of the garrison where they enlisted, during their five years' service.

I have the honor to be, sir,

With perfect respect, your obedient servant,

D. PARKER.

Adj't. & ins. gen.

To the secretary of war.

A.

Comparative view of the army expenditures before the late war, and the required appropriations for the year 1820.

ORGANIZATION OF THE ARMY BEFORE THE LATE WAR.				ORGANIZATION OF THE ARMY SINCE 1815.			
REGIMENTS AND CORPS.	Commissioned officers and cadets attached to corps.	Non-commissioned officers, musicians, artificers, and privates.	Aggregate.	REGIMENTS AND CORPS.	Commissioned officers.	Non-commissioned officers, musicians, artificers, and privates.	Aggregate.
General staff : : :	84	—	84	General staff	96	—	96
Engineers : : :	16	19	35	Engineer dep't m't	32	21	53
Light Artillery : : :	53	764	817	Ordnance do.	44	302	346
Light Dragoons : : :	51	613	664	Regt. Light Artil.	46	765	811
Regiment of Artillerists :	66	1,522	1,588	Corps of Artillery	168	3,784	3,952
Seven regiments of Infantry	411	5,444	5,855	Eight regts. Inf't.	296	6,286	6,576
Rifle regiment : :	65	784	849	Rifle regiment	37	785	822
Total :	746	9,146	9,892	Total	719	11,937	12,656
Average strength of the army for the years 1809, 1810, & 1811.				Average strength of the army for 1820.			
Officers, non-commissioned officers, musicians and privates, : : : : 6,000				Officers, non-commissioned officers, musicians and privates, 10,000			

Appropriations for the current expenditures of the army, for the years 1809, 1810, and 1811.

	1809.	1810.	1811.
Pay of the army	868,240 00	869,868 00	869,969 00
Forage	61,624 00	64,624 00	13,756 00
Subsistence	641,228 35	685,532 05	685,532 05
Clothing	293,264 00	293,804 00	293,804 00
Bounties and premiums	15,000 00	20,000 00	30,000 00
Medical and hospital department	45,000 00	50,000 00	50,000 00
Camp equipage, tools fuel, & transportation	270,000 00	270,000 00	270,000 00
Purchasing horses and equipments for the light artillery and dragoons, and forage for the same	62,520 00		
Purchasing maps, plans, books, &c.	2,500 00	2,500 00	2,500 00
Contingencies	50,000 00	50,000 00	50,000 00
Salary of clerks employed in the military agent's office, and in the office of the adjutant and inspector of the army	3,500 00	3,500 00	3,500 00
Total—dollars	2,315,876 35	2,319,928 05	2,269,060 05

Average appropriations for these years, - \$2,301,621 48
Annual expense per man, including officers, - \$383 60

Required appropriations for current expenditures of the army, for the year 1820.

	1820.
Pay of the army	1,274,784 00
Subsistence	322,048 20
Forage	26,496 00
Clothing	449,716 00
Recruiting, bounties, premiums, &c.	183,925 00
Medical and hospital department	42,145 76
Quartermaster's department	526,500 00
Contingencies of the army	40,000 00
Total—dollars	3,365,614 96

Expense per man for the year 1820, including officers, \$336 56

NOTE.—These tables and demonstrations are taken from the appropriation laws and the official army returns, except the estimate of 10,000 for the average strength of the army during 1820, which is warranted by the last returns, and the facts that more than 4000 men were enlisted in the last year, and that only three hundred are entitled to discharge this year, being the last of the war men, for whose retained bounty, and that due the heirs of deceased soldiers, the item of 15,000 dollars is estimated, and is not a current expenditure.

The fortifications and ordnance are omitted in all the years before the war, as well as in the estimate for 1820; and as there was no ordnance corps before the war, the expense of that corps should also be deducted from the current expenditures of the army for this year, amounting to \$101,496 60. If to this are added the auditor's reported balance on hand, of the last year's appropriation, on account of pay, \$235,296 58, and the two sums are deducted from the required appropriation, it will be seen that the cost per man, including officers, will be \$302 88, for the year 1820. As the estimate for pay is made for the full organization, and the average strength through the year is stated at 10,000, including officers, a balance may remain, authorising the conclusion, that the future current expenditures will not exceed three hundred dollars per man, annually.

View of the army of the United States, from the year 1802 to 1808, inclusive—[ABSTRACT.]

Years.	Total officers and privates.	Appropriations.
In 1802	2,873	\$1,191,073 80
1803	2,486	626,268 48
1804	2,709	671,954 27
1805	2,720	711,122 83
1806	2,640	754,724 72
1807	2,766	767,612 50
1808	2,891	864,608 35
		\$5,587,564 89

Average for each year, \$798,194 98
Annual expense p. man, includ. officers, \$292 80½
Average strength of the army from 1802 to 1808, inclusive, 2,726

Organization of the army in 1802—and during the above period.

Regiments, &c.	Com. off. &c.	Non-com. officers and privates, &c.	Aggregate
General staff,	46	—	46
Engineers	20	19	39
Regt. Artillerists	166	1,522	1,628
Two regts. Inf't.	86	1,524	1,610
Total,	253	3,065	3,323

Letter from the secretary of war, transmitting a report of the aggregate amount of the military peace establishment of the United States, since the year 1815.

WAR DEPARTMENT, Dec. 31st, 1819.

SIR—Conformably to a resolution of the house of representatives, of the 28th instant, requiring this department to report the aggregate amount of the military peace establishment, actually in service, for each and every year since 1815, designating the number of officers, non-commissioned officers, musicians and privates, I have caused an abstract of the general returns to be prepared, which is herewith respectfully transmitted.

I have the honor to be, sir, your obedient servant,
J. C. CALHOUN.

To the Speaker of the house of representatives.

ADJ'T AND INSP. GEN'S OFFICE,
December 31st, 1819.

Abstract from the annual general returns of the army, since the peace, in 1815, shewing the number of officers, non-commissioned officers, musicians and privates, in each year, as reported by the latest returns received at this office, at the close of each year.

RETURNS.	Commissioned officers.	Non-commissioned officers.	Musicians.	Privates.	Aggregate.
Dec. 1815.	638	1109	325	7,341	9,413
Dec. 1816.	726	1071	356	7,871	10,024
Dec. 1817.	640	923	320	6,338	8,221
Dec. 1818.	644	887	306	5,839	7,676
From the last returns, Dec. 1819.	641	826	326	6,295	8,588
Recruits on their march to join				600.	

NOTE—These returns show the number of troops on duty with their corps, at the several periods, but it must be observed, that the number is constantly fluctuating, by discharges, casualties and enlistments; the actual number being greater than can be returned at any given day. It being impracticable to show by a general return of the army, of any period, all the previous casualties.

D. PARKER, *Adj't & insp. gen.*

Statistics.

NAVY OF THE UNITED STATES. Abstract of a letter from the secretary of the navy shewing the amount of expenditure on account of the navy from the 1st October 1818, to the 30th Sept. 1819, &c.

The whole amount drawn from the treasury for the time stated, under several heads of specific appropriations, was \$4,141,366 26

To which add balances in hand, 30th Sept. 1818 672,137 69

Amount transferred from other heads of expenditure, &c 122,611 08—794,748 77

Deduct amount expended during the year 4,936,115 63

Bal. in the treasurer's hands as agent of the department, Oct. 1, 1819. 656,029 22

*Some of the returns of this year bear date several months back, and it is known that more than 600 recruits are on their march to join, which, together with the several detachments and recruiting parties not included, makes an estimated aggregate, at the close of this year, of nine thousand.

The following are some of the chief items of expenditure:

Pay and subsistence of officers and pay of seamen	1,142,406 95
Purchase of provisions	541,070 72
Freight, store rent and other contingencies	375,661 98
Navy yards and docks	283,355 52
Repairs of vessels	346,737 44
Gradual increase of the navy	1,083,410 15
The marine corps, pay	179,863 13
clothing	33,690 62
military stores	39,059 99
Quarter master &c.	20,766 37
	273,380 11

AMERICAN SEAMEN. We have a copy of a letter from the secretary of state, addressed to the speaker of the house of representatives, giving an abstract of the return of American seamen for the year 1819—but the returns are so partial as to afford only a very indistinct view of the subject. The following are the returns from some of the principal ports, but from others there is no return at all.

Portsmouth 118; Boston 541; Bath 126; Portland 182; New Bedford 217; Providence 88; New York 431; Philadelphia 355; Baltimore 198; Norfolk 172; New Orleans 212. Of the whole number returned, only 19 were naturalized citizens.

FORTIFICATIONS. A message from the president of the United States, pursuant to a call of the house of representatives, shew the amount "of expenditures on account of fortifications from the year 1816 to 1819, both inclusive—the places at which works of defence have been begun; their contemplated magnitude and present condition, and the estimated sum for the completion of each;—also, the mode by which they are built—whether by contract or otherwise"—the substance of which is as follows:

The general statement "of the fortification account" for the years stated, shews an amount of \$2,629,426 13, appropriated or applied to this account, of which all was expended on the first January last, except the sum of \$1,616 06.

The works begun, &c. are as follows:

1. Fort Diamond, begun in 1812, in the Narrows of New York harbor, to mount 80 guns, on which 275,000 have been expended, and to complete which 25,600 dollars are required.

2. On the Pea Patch, in the Delaware river, begun in 1815, to mount 212 guns, amount expended 197,826 17—required to complete the work 152,173 83.

3. Fort Washington, on the Potomac, begun in 1816, to mount 90 guns—325,000 dollars expended, and 75,000 required to complete the fortification.

4. Fort Monroe, Old Point Comfort, for the defence of the Chesapeake bay, generally, to mount 380 guns—expended 208,209 65—required to finish the work 608,605 31—begun in 1819.

5. Fort Calhoun, on the Rip Rap shoal, also for the defence of the Chesapeake, and begun in 1819, to mount 216 guns—amount expended 141,932 94—amount required 762,422 46.

6. At Mobile Point, for the defence of this part of the coast, including the city of New-Orleans, to mount 118 guns—amount expended 110,000, required to complete the work 583,292 77.

7. On Dauphin island, for like purposes as the preceding, to mount 118 guns—expended 120,000, required \$573,292 77.

9. At the Rigolets, for like purposes as the foregoing, to mount 64 guns—amount expended 70,000, required to complete the work 194,517 52.

The three last begun in 1819.

Statement of expenditures, on account of fortifications, in the office of the third auditor of the treasury department, from the 1st Jan. 1816, to the 31st December, 1819.

Crane Island, Old Point Comfort, and Norfolk, Virginia.	3	401,737 10
New-York, and harbor		414,225 25
Fort Washington, Potomac		334,769 08
Mobile		259,573 86
New-Orleans		217,940 76
Pea-Patch, Delaware		177,500
Plattsburg		117,292
Baltimore		59,511 87
Niagara		55,511 90
Boston		21,143 50
Hendrick's reef		18,000
Green Bay		16,644 70
Charleston, South Carolina		173,347 65
Savannah, Georgia	1814	8,505 81
Detroit, and Fort Malden	1815	5,261 87
Tybee Island	1814-15	7,000
Point Petre		6,000
Pittsburg		2,000
Bennet and Morte		36,000
Samuel Hawkins		10,000
Bellefontaine,		2,342 34
Forts St. Philip's, and St. John		1,318 68
George Town, South Carolina	1814	1,000
Sacketts Harbor	1814-15	768 17
Richmond, Virginia		300
Fort Severn		477 50
Fort Dearborn		33
Fort Wolcott		262 66
Fort Armstrong		77 70
Officers composing the board of engineers	3	5,237 30
Fort Gratiot	1815	303 25
Federal Point	1814	280
Fort Griswold	1815	31
Fort Trumbull	1814-15	137 77
Fort Green	1814	102 96
White Hall, block house	1813	277 84
Fort Massac	1813	26 91
Fort Johnson	1814	158 24
Norwich, Connecticut	1815	799 79
Amount	dolls.	2,353,900 26

Treasury Department.

Third auditor's office, Jan. 4th, 1820.

PETER HAGNER, auditor.

DISTRICT OF COLUMBIA. A letter from the secretary of the treasury to the speaker of the house of representatives, dated the 12th ult. shews "the amount of moneys paid in each year to the marshal of the district of Columbia, for the expenses of holding courts within the same, since the assumption of jurisdiction over the district by congress," &c.

The whole amount paid from 1801 to 1819 inclusive of each, is \$353,309 68—of which \$246,431 30 was paid to the marshal, and 106,878 32 paid to the judges.

The cost of these courts has rapidly increased—in 1801 the marshal drew only 5,408 dollars, and the judges the sum of 2,907 78; but last year there was paid to the marshal 26,000, and to the judges 7,700 dollars. A pretty dear affair, for the business that is done. We presume, however, that the cost of the annual sessions of the supreme court of the United States, as it regards attendance upon it, is included in the amount.

ARBITRATION. Pennsylvania has fairly tested the arbitration system, and thereby prevented

many tedious and expensive suits at law. On the 28th ult. the speaker laid before the senate a letter from the secretary of the commonwealth, transmitting a statement of the number of cases referred under the "act regulating arbitrations," during the year 1819, so far as they have been received at his office.

[This report contains the report of but nineteen counties; from which it appears, that the number of cases arbitrated in 1819, in those counties, are 1595: of which 1149 reports have been filed; 789 judgments; 282 appeals; 157 reports undetermined; 9 tried by jury and reversed: 25 tried by jury and affirmed; 90 tried at bar.]

COMMERCE OF ALEXANDRIA.

Inspection of flour.

Year ending Sept. 11, 1811	237,450 barrels
1812	188,861 do.
1813	180,247 do.
1814	101,989 do.
1815	110,673 do.
1816	158,553 do.
1817	217,621 do.
1818	158,746 do.
1819	176,922 do.

Domestic produce exported to foreign ports, as valued at the custom house.

1815	\$2,356,221
1816	1,110,707
1817	1,539,662
1818	1,167,169
1819	935,781

Duties arising from the importation of foreign merchandise, direct to the port of Alexandria, for the year 1819, amount to 135,513 dollars.—*Nat. Int.*

CHARLESTON. Exports from 1st Oct. 1819, to 31st Dec. 1819.

	bales	bales.	Tierces
	Sea Islands.	Uplands	Rice.
Coastwise		1,644	1,155
London	95	723	268
Liverpool	1,568	14,452	172
Glasgow, &c.	761	3,075	70
France	182	7,737	469
North of Europe	69	4,385	854
West Indies			5,029
	2,675	52,216	8,007
During same period last yr	592	17,046	4,764
	2,063	15,170	3,243

Teas imported into Philadelphia. (The names of the vessels and the amount of the packages are respectively given in the table published in the "American Centinel," but the aggregates only can be generally useful.)

Recapitulation.

	1817.	1818.	1819.	Total 3 yrs.
Gunpowder and imperial	269,843	207,395	130,207	604,451
Hyson and young hyson	1,075,337	1,107,554	882,641	3,065,532
Hyson skin	883,814	536,532	597,816	2,018,162
Souchong and other black	259,719	69,252	88,760	417,731
Bohea	161	000	000	161

Grand total 2,485,879 1,920,894 1,699,424 6,106,197

The cargo of one vessel which arrived near the close of the last year, is not included in the above, the weight of her teas not being ascertained. It is observed that in Philadelphia, in the 3 years, only 161lbs. have been entered as Bohea, while in another port very large quantities of other teas have been so called and entered.

The income tax of England. Of the income tax, when it existed in England, the sum paid by the

proprietors and occupiers of land, was 6,438,475; and by merchants, manufacturers, professional men, office holders, &c. &c. only 3,011,187.

The number of payers in the first class was three times as great as that in all other classes. A writer concludes that three fourths of the vast revenue of Great Britain is derived indirectly, from the owners and cultivators of the soil.

SAVANNAH. For three months ending Jan. 1, 1820, there was exported from Savannah—

763 bales Sea-island cotton—in the same period last year only 213.

18,853 bales upland cotton—in the same time last year only 13,594.

1062 tierces of rice—last year in the same months 1703.

2 hhds. tobacco—last year, in the same time, 18 hhds.

Penitentiary of Georgia.—66 persons remained in this penitentiary on the 1st Oct. 1819—of these 13 were born in North Carolina, 12 in Georgia, 9 in Virginia, 8 in South Carolina, 3 in New-York, 3 in Pennsylvania, 2 in Connecticut, 2 in Massachusetts, 1 in East Florida, and 13 in Europe, of whom 7 were in Ireland.

Penitentiary of Virginia. The amount of convicts received into this establishment since its commencement in 1800, to the 30th Sept. 1819, is 954; average, 50 per annum. In Sept. last there remained 174 persons in confinement, employed in various mechanical trades—39 were of different trades when received. Of the convicts only 3 appear to be women. Of the 174—113 were born in Virginia, 9 in Pennsylvania, 6 in North Carolina, 6 in Maryland, 4 in Massachusetts, 2 each in Connecticut, Kentucky and the district of Columbia, 3 in New York, 1 each in Delaware, South Carolina, New Jersey, and Tennessee, 22 in Europe, of whom 11 were in Ireland and 8 in England, &c.

A GREAT SPRING. The *Blakeley*, (Alabama) *Sun*, of the 1st Dec. last, contains a long letter signed Samuel Haines, giving an account of an excursion upon the Chactawhatchee river. In ascending a stream called Holmes' Creek, or by the Indians, Oakcheehachee, or *Sour river*, which empties into the Chactawhatchee, he says—"I came to the mouth of an extraordinary stream of nearly the same width, which flows entirely from a spring only one mile from its confluence with Oakcheehachee.

The Indian name of this singular fountain is *Oakiwah*, that is to say in English, the Great Spring. When I entered this creek I found the water so perfectly transparent, that its bottom exposed to view the smallest fishes, and the minutest pebbles. Our boat drew nearly three feet water, and was of almost five tons burthen; and we passed into the very head of the spring with as much ease as we ascended the river: in fact, at all times there appears to be a depth of four feet at least from there to its mouth. I should say that this extraordinary fountain constantly delivers water enough to turn four saw-mills. The water boils up from beneath a jutting ledge of limestone, and makes a sort of basin or crater of the size of an acre of ground, surrounded with high solid earth, covered with a growth of oak, hickory, beach, pecan and magnolia.

At the fountain-head, the depth of water is at least ten fathoms; and its ebullition it so forcible as to throw off every boat that attempts to rest upon it.

Though the water of this creek issues from a bed of limestone, yet I found it was not so highly saturated therewith as to prevent its ready combination with soap, or to render it unwholesome for use. As

an evidence of its purity, I found it the resort of mullet and some other fish all the time we stayed there.

From this remarkable evidence of the existence of some more elevated fountain in the neighborhood of *Oakiwah*, which I concluded must be the cause of this great natural curiosity, I was led to attempt its discovery.

In passing from this big spring to Holmes' village, a distance of 5 or 6 miles nearly north, I found on my right a chain of five ponds of different sizes, apparently from 100 to 600 acres in superficial extent, and some of them of circular forms.

These ponds have no outlet over the surface of the earth, and of course must have subterranean communications with the river or some of its tributary streams.

As the surface of these ponds appeared considerably higher than the great spring, I infer that it is fed by them by means of subterranean passages.

These singular ponds abound with fish, such as perch, trout, and sundry smaller sorts. Alligators too inhabit them. Around these ponds the lands are open pine woods of the most barren description; and so entirely clear of undergrowth are their borders, that a man can be seen across them in every direction. Their waters are pure, and almost as transparent as those of *Oakiwah*.

Similar ponds are found in many other places between the Chactawhatchee and Appalachian rivers, which are here only 40 miles from each other."

Longevity. Dr. Knot Martin, who died at Marblehead at the age of 88, left 7 children by his first wife, which were lately living at the following ages—88, 87, 80, 77, 73, 71, 61, 4 males and 3 females, at an average of 78. Two children by his second wife were also living, aged 53 and 51. He had in all three other children, one of whom died in infancy, the other two at an advanced age.

New-York canals. The following is extracted from an article lately published in the *Columbian*.

Table of the area of those parts of the United States and Canada, which will be opened to the commerce of the Hudson by the completion of the two New York canals.

	Square miles.
Basin of Champlain, - - - -	5,000
United basins of Oswego and Seneca rivers, - - - -	7,500
Basin of Erie, - - - -	27,000
Basin of Michigan, - - - -	60,000
Basin of St. Clair, - - - -	7,800
Basin of Huron and Nipising, - - - -	40,000
Basin of Superior, - - - -	90,000
	236,300
From which deduct for water:	
Lake Champlain, - - - -	1,100
Small lakes in the basins of Genessee and Oswego, - - - -	240
Lake Erie, - - - -	8,750
Lake St. Clair, - - - -	750
Lake Huron, - - - -	13,000
Lake Michigan, - - - -	13,500
Lake Nipising, - - - -	800
Lake Superior, - - - -	22,500
Smaller lakes and rivers, - - - -	2,000
	62,640

Remains for land 173,660

Amounting to 111,129,600 acres.

This expanse nearly equals four times the superficies of the state of New-York. Though more than one third of the space we are surveying, is in Cana-

da, it may be here correctly included, as the course of commerce will be but little influenced by national boundaries.

To these calculations are added sundry tables of distances which are be laid aside for a season of more leisure than the present.

The distance from New York city to St. Louis, Missouri, via Hamilton in New York, and the Ohio and Mississippi rivers, is 1758 miles; of which the land carriage of goods, from Newburg on the Hudson, to Hamilton, on the Allegany, is 304 miles.

The distance from the same to the same, when the great canal is completed, via Buffalo, Detroit, Michilimackinac, Chicago and the Illinois and Mississippi rivers, is 1762 miles—which no doubt, in a very few years may be entirely travelled on water, and with boats of sufficient burthen.

The distance from St. Louis to New Orleans, by water, is given at 1189 miles—from the same to the same, via Russellville, Nashville and Natchez, 948 miles—and from the same to the same, by the Hot Springs on Ouachita, Natchitoches and Opelousas, at 1030 miles.

Bank stock owned by the state of New York—from a statement laid before the house of assembly:

608 shares of the capital stock of the bank of America,		\$60,800
130 do.	Bank of New York,	65,000
199½ do.	Bank of Albany,	43,800
600 do.	Farmers' Bank in Troy,	30,000
3,600 do.	New York State Bank,	126,000
1,000 do.	Manhattan Company,	50,000
2,000 do.	Mechanics' & Farmers' Bank,	30,000
2,000 do.	Middle District Bank,	50,000
1,000 do.	Bank of Newburg,	50,000
300 do.	Bank of Hudson,	15,000
50 do.	Bank of Columbia,	20,000
500 do.	Mohawk Bank,	5,000
2,000 do.	Bank of Troy,	16,000
1,000 do.	Bank of Lansingburg,	6,000
3,000 do.	Merchants' Bank, (appropriated to the school fund)	180,000
		\$747,600

Legislature of Maryland.

In the senate, Jan. 19.

The senate resumed the consideration of the resolution relative to the admission of new states into the union, and on motion of Mr. Harper, the question was put "will the senate receive the following as an amendment to the said resolution." Amendment proposed, strike out from the word "resolved" first resolution to the end thereof and insert, "resolved by the general assembly of Maryland, That the senators and representatives from this state in congress, be requested to use their utmost endeavors in the admission of the state of Missouri into the union, to prevent the prohibition of slavery from being required of that state as a condition of its admission." Resolved in the affirmative.

On motion of Mr. Carmichael, the question was put, "will the senate adopt the following message in lieu of the said resolution?"

Gentlemen of the house of delegates.

We have considered your resolution by which "our senators and representatives in congress are requested to use their utmost endeavors in the admission of new states into the union, to grant to such states all rights and privileges of the states heretofore admitted, without requiring as a condition of their admission the inhibition of involuntary servitude, or any other condition limiting their so-

vereign powers in a greater degree than the sovereign powers of the original states forming the union are limited and restrained." In this resolution the senate cannot concur, because the senate are of opinion, that this subject belongs exclusively to congress, and that the powers delegated to congress are derived immediately from the people, and not from the states in their corporate capacity, because the senate are of opinion, that the powers delegated by the people to the state legislature, extend no further than regulating the internal concerns of the state, except in certain cases where its powers are expressly specified and defined; and that the legislature has no constitutional right to pledge the opinion of the people of Maryland upon a measure which belongs exclusively to congress.

The members of the senate in their individual capacities and as a part of the people, would be prompt to express their opinions on the Missouri question. The constitution of the United States provides for the admission of new states into the union, without defining the terms and conditions upon which they shall be admitted; and we think the sound constitutional exposition of that article is, that they should be admitted with all the powers and capacities of internal regulation which belonged to the old states. If congress, in the exercise of the power of admitting a new state into the union, have a right to fetter it with the proposed restriction, they have a right to impose other restrictions to an indefinite extent. And we think it would be as repugnant to the spirit of our republican institutions, that one state should possess powers of internal regulation not imparted to another as that one class of citizens of the United States should possess powers and rights which were denied another—

Determined in the negative.

The question was then put, will the senate assent to the resolution as amended? the yeas and nays being required, appeared as follows:

Affirmative—Mr. President, Messrs. Emerson, Gale, Harper, Howard, Hughlett, Jackson, Magruder and Parham—9

Negative—Messrs. Carmichael, Cressay, Hollyday, Taney and West—5.

Determined in the affirmative.

Republic of Texas!

It appears from the following, that a few individuals still adhere to gen. Long, and claim the rights of a sovereign power.

Alexandria, Lou. Dec. 24.—The Jupiter has returned to Galveston, after a short cruise with a valuable cargo, principally specie. She is the first vessel that sailed under the authority of Texas. She sailed again on the 1st inst. The three remaining pirates who robbed Mr. Lion, were taken into custody by order of gen. Walker, while in the Trinity, and are sent to New Orleans for trial.

Galveston, Nov. 7.

To the commandant of the American cruiser off the port of Galveston.

SIR:—I am convinced that you are a cruiser of the navy ordered by your government. I have therefore deemed it proper to inquire into the cause of your lying before this port without communicating your intention? I shall by this message inform you, that the port of Galveston belongs to and is in the possession of the republic of Texas, and was made a port of entry the 9th of Oct. last.—And whereas the supreme congress of said republic have thought proper to appoint me as governor of this

place, in consequence of which, if you have any demands on said government, or persons belonging to or residing in the same, you will please to send an officer with such demands—whom, you may be assured, will be treated with the greatest politeness, and receive every satisfaction required. But if you are ordered, or should attempt to enter this port in a hostile manner, my oath and duty to the government compels me to rebut your intentions at the expense of my life.

To prove to you my intentions towards the welfare and harmony of your government, I send enclosed the declaration of several prisoners, who were taken in custody yesterday, and by a court of enquiry appointed for that purpose, were found to be guilty of robbing the inhabitants of the United States, of a number of slaves and other property.

The gentlemen bearing this message will give you any other reasonable information relating to this place, that may be required. J. LAFITTE.

U. S. schooner Lynx.

Off Galvezton, Nov. 8, 1819.

SIR—Your note of yesterday has been received, stating the execution of William Brown, the chief of the boats; and your having sent in pursuit of John Hale, William Thompson and Charles Slater, who had been previously sent from Galvezton. From the disposition evinced by you to bring to justice all those who have committed direct acts of piracy on the citizens of the United States, I am induced to believe, that should they, or John Kelly, John Lightner and George Kerth, who appear to be the only survivors not at present in custody, come at any future period in your power, that they will be detained in confinement until they can be sent to the United States for trial. I have returned the passage boat belonging to you, which was taken by my boats on the 5th inst. You will excuse me for not accepting your kind and polite invitation to visit Galvezton: the weather will not admit my leaving the vessels at sea, but any communication delivered to the officer who has charge of this, will be duly received.

I am, sir, yours, &c.

J. R. MADISON, commanding U. S. schr. Lynx.

To the commander of the forces at Galvezton.

November 10.

SIR—It is with pleasure I have to inform you, by the request of Mr. Lafitte, commander of the forces at this place, that on the 8th inst. I was despatched with the communication to him from lieutenant J. R. Madison, of the U. S. navy, and commander of the U. S. schr. Lynx, having been blown off by boisterous and disagreeable weather—that the treatment I have received from him has been the most friendly, generous and hospitable, and every possible means extended in making the situation of myself and crew agreeable and comfortable—and every assistance given in securing the prisoners which had been delivered to me during my stay.

I am, sir, your obedient friend,

J. M'INTOSH.

General James Long, president, &c.

CONGRESS.

IN THE SENATE.

January 28. Some minor matters being disposed of—the senate resumed the consideration of the Missouri question.

Mr. Van Dyke, of Delaware, spoke nearly two

hours against the proposed restriction; and then the further consideration of the subject was postponed to Monday; to which day,

After reading the third time, and passing the bill to alter the times of holding the Western district court of Virginia,

The senate adjourned.

January 31. Mr. Sanford presented to the senate certain resolutions of the legislature of New York, declaring the right of congress to require of new states, not comprised within the original boundaries of the U. States, the prohibition of slavery as a condition of their admission into the union; and instructing the senators from New York to oppose the admission of any such state without such a condition; which resolutions were read.

Mr. Johnson, of Louisiana, submitted the following resolution:

Resolved, That the president of the United States be requested to lay before the senate such information as he may possess relative to the execution of so much of the first article of the late treaty of peace and amity between his Britannic majesty and the United States as relates to the restitution of slaves, and which has not heretofore been communicated.

The senate then resumed the consideration of the Missouri question.

Mr. Barbour, of Virginia, rose and addressed the senate more than three hours, against the proposed restriction; but, before concluding his speech, intimated a desire to be allowed to defer the remainder of his remarks to to-morrow, and the subject was accordingly postponed.

The senate then went into the consideration of executive business.

February 1. Mr. Otis submitted the following resolutions for consideration:

Resolved, That the committee of finance be instructed to enquire into the expediency of reviving, for—years, the law making foreign gold coins a tender.

Resolved, That the committee on finance be instructed to enquire into the expediency of providing by law for the payment of the Mississippi stock, by the issue of treasury notes, bearing interest at —per cent. per annum, and redeemable at the pleasure of government, to such of the proprietors thereof as may elect to receive a payment in this way.

The resolution offered yesterday by Mr. Johnson, of Lou. was considered and agreed to.

The senate then resumed the consideration of the Missouri question.

Mr. Barbour, of Va. concluded the speech which he commenced yesterday against the restriction.

Mr. Roberts, of Penn. followed, in support of the restriction, and in reply to the gentlemen who had opposed it.

Mr. Johnson, of Kentucky, succeeded, and closed the debate, in a speech of some length against the restriction.

No other gentleman rising to speak, the question was then taken on the restrictive amendment offered by Mr. Roberts, which is in the following words: "Provided also, that the further introduction into the said state of persons to be held in slavery, or involuntary servitude within the same shall be absolutely and irrevocably prohibited;" and decided in the negative, by yeas and nays, as follows:

[] To save the trouble of a reference which will otherwise be frequently made, we have attached to the names of the gentlemen the states which they represent in the senate.

Ed. REG.]

Yeas. Mr. Merrill, of *New Hampshire*; Mellen and Otis, of *Massachusetts*; Dana, of *Connecticut*; Burrill, of *Rhode Island*; Tichenor, of *Vermont*; King and Sanford, of *New York*; Dickerson and Wilson, of *New Jersey*; Lowrie and Roberts, of *Pennsylvania*; Ruggles and Trimble, of *Ohio*; Noble and Taylor, of *Indiana*—16

Nays—Mr. Parrot, of *New Hampshire*; Hunter, of *Rhode Island*; Lauman, of *Connecticut*; Palmer, of *Vermont*; Van Dyke, of *Delaware*; Lloyd and Pinkney, of *Maryland*; Barbour and Pleasants, of *Virginia*; Macon and Stokes, of *North Carolina*; Gaillard and Smith, of *South Carolina*; Elliot and Walker, of *Georgia*; Johnson and Logan, of *Kentucky*; Eaton and Williams, of *Tennessee*; Brown and Johnson, of *Louisiana*; Leake and Williams, of *Mississippi*; Edwards and Thomas, of *Illinois*; King and Walker, of *Alabama*—27.]

So the amendment was rejected, and

The senate adjourned.

[The following were the yeas and nays on this question in the senate, at the last session—see 16th vol. REGISTER, page 60.

For restriction. Messrs. Burrill, Daggett, Dana, Dickerson, King, Lacock, Mellen, Noble, Roberts, Ruggles, Sanford, Storer, Tichenor, Wilson—14

Against restriction. Messrs. Barbour, Crittenden, Eaton, Edwards, Eppes, Fromentin, Gaillard, Goldsborough, Johnson, Leake, Macon, Morrow, Stokes, Tait, Talbot, Taylor, Thomas, Williams of Miss. Williams of Ten.—19.]

February 2. Mr. Noble presented to the senate the memorial of the legislature of Indiana, praying that no law may be passed changing the terms of sale of public lands, and representing the injurious effects which such a law would have on the western states; which memorial was read and referred.

The senate took up the resolution submitted yesterday by Mr. Otis, and agreed thereto.

The senate then resumed the consideration of the *Maine and Missouri bills*.

Mr. Burrill, of *Rhode Island*, moved to amend the 5th section, of the amendment respecting Missouri, wherein it is provided, that the constitution, whenever formed, "shall be republican, and not repugnant to the constitution of the United States," by adding to this provision the following clause: "nor to the three first articles of compact in the ordinance of the 13th of July, 1787, between the original states and the people and states of the territory northwest of the river Ohio."

[The three articles of the ordinance of 1787, here referred to, are as follows:

Art. 1. No person, demeaning himself in peaceable and orderly manner, shall ever be molested on account of his mode of worship or religious sentiments, in the said territory.

Art. 2. The inhabitants of the said territory shall always be entitled to the benefits of the writ of *habeas corpus*, and of the trial by jury; of a proportionate representation of the people in the legislature, and of judicial proceedings according to the course of the common law. All persons shall be bailable, unless for capital offences, where the proof shall be evident or the presumption great. All fines shall be moderate; and no cruel or unusual punishments shall be inflicted. No man shall be deprived of his liberty or property, but by the judgment of his peers, or the law of the land, and, should the public exigencies make it necessary, for the the common preservation, to take any person's property, or to demand his particular services, full compensation shall be made for the same. And, in

the just preservation of rights and property, it is understood and declared, that no law ought ever to be made, or have force in the said territory, that shall, in any manner whatever, interfere with, or affect, private contracts or engagements, bona fide, and without fraud, previously formed.

Art. 3. Religion, morality and knowledge, being necessary to good government and the happiness of mankind, schools and the other means of education shall forever be encouraged. The utmost good faith shall always be observed towards the indians; their lands and property shall never be taken from them without their consent; and in their property, rights, and liberty, they never shall be invaded or disturbed, unless in just and lawful wars authorized by congress; but laws founded in justice and humanity shall, from time to time, be made, for preventing wrongs being done to them, and for preserving peace and friendship with them.]

Mr. Burrill followed his motion with a speech of considerable length in its support; after which, The subject was, on motion of Mr. Lowrie, postponed to to-morrow; and

The senate adjourned.

HOUSE OF REPRESENTATIVES.

Friday, Jan. 28.—On motion of Mr. Walker, of N. C. it was

Resolved, that the committee on military affairs be instructed to enquire into the expediency of providing by law for the allowance of bounty land to all soldiers who enlisted in the late war with Great Britain, and who procured substitutes, in proportion to the time of service performed by them and their substitutes respectively; and also all others who enlisted and remained in service during the war, and were regularly discharged, not already provided for by law.

On motion of Mr. Pindall, it was

Resolved, That the secretary of state be requested to lay before this house a list of the newspapers in which the laws, resolutions, and orders of congress are published, and have been published during the sessions of the 14th and 15th congresses, designating the state, district, or territory in which each newspaper was published, with an estimate of the expense of such publication.

The house again went into a committee of the whole on the Missouri bill, Mr. Baldwin in the chair.

Mr. Holmes, of *Massachusetts*, resumed the floor, and occupied about two hours in concluding the argument which he commenced yesterday, against the proposed restriction.

Mr. Smyth, of *Virginia*, followed on the same side, but had not proceeded in his argument when he gave way for a motion for the committee to rise.

The committee rose accordingly, and obtained leave to sit again; and

The house adjourned to Monday.

Monday, Jan. 31. The Speaker communicated to the house a letter from the secretary of war, transmitting, in obedience to a resolution of this house, a statement of the public expenditures on the military academy at West Point, the number and names of the cadets educated there from each state, &c. and an estimate of the sums necessary for the support of said institution for the next three years.

Mr. Sergeant, from the judiciary committee, reported a joint resolution, authorizing astronomical observations to determine the longitude of the capital, from Greenwich or some other European observatory.

The resolution was twice read and committed.

Many reports on private petitions were received—all unfavorable.

On motion of Mr. *Silsbee*, it was,

Resolved, That the president of the United States be requested to lay before this house an account of the annual receipts of hospital money, under the acts of July 16th, 1798, and March 2d, 1799, up to the 26th February, 1811; and from that period an account of the annual receipts, under the first mentioned act, to the 30th Sept. 1819, distinguishing the districts within which collected; also an account of the annual expenditures of said hospital money, the districts within which expended, the hospitals erected, the places where, the regulations under which expenditures are made, the present state of the marine hospitable fund, and how invested.

Resolved, That the commissioners of navy hospitals be directed to lay before this house an account of the annual receipts of hospital money, under the act of March 2d, 1799, from the 26th February, 1811, to September 30th, 1819, together with an account of the annual expenditures of the same, the districts within which expended, the hospitals erected, the places where, the present state of the navy hospital fund, and how invested.

Mr. *Baldwin*, of Pennsylvania, offered the following resolution, which was twice read and committed to a committee of the whole house.

Resolved, by the senate and house of representatives of the United States of America in congress assembled, two thirds of both houses concurring; that the following amendment to the constitution of the United States be proposed to the legislatures of the several states; which, when ratified by the legislatures of three fourths of the states, shall be valid to all intents and purposes, as part of the said constitution:

That congress shall make no law to erect or incorporate any bank, or other monied institution, except within the district of Columbia, and every bank, or other monied institution, which shall be established by the authority of congress, shall, together with its branches, and offices of discount and deposit, be confined to the district of Columbia.

The bill from the senate, to provide for procuring, in future, accurate returns of the foreign commerce of the United States, was read the third time and passed.

The engrossed bill to alter the times of holding the courts of the western district of Virginia was read the third time, passed and sent to the senate for concurrence.

The house then again resolved itself into a committee of the whole. Mr. *Baldwin* in the chair, on the *Missouri* bill—Mr. *Taylor's* motion to impose on the proposed state, a restriction respecting slavery, being still under consideration.

Mr. *Smith*, of Virginia, resumed the argument which he commenced on Friday, against the restriction, and spoke until near 6 o'clock; when,

On motion of Mr. *Reid*, the committee rose, obtained leave to sit again; and

The house adjourned.

Tuesday, Feb. 1. The speaker laid before the house a report of the secretary of the treasury, on the subject of prohibiting the importation of cotton, woolen, and iron manufactures, and his opinion of the effect such prohibition will have on the revenue; made in obedience to a resolution of the house, of the 4th ultimo.

The speaker also laid before the house a letter from the secretary of the treasury, transmitting copies of the receipts and expenditures of the United States, for the year 1818.

These communications were ordered to lie on the table, and the first to be printed.

Mr. *Pindall* moved to amend the standing rules of the house, by adopting the following proposition:

"Stenographers who may be desirous to report the debates shall, previous to their admission to the tables within the house, swear that they will truly, and according to the best of their knowledge, without addition, diminution, or alteration, report the debates, or so much thereof as they shall at any time publish; that, in every such report, they will, so far as is practicable, adhere as well to the language as to the purport or substance of the remarks made by the members, and that they will not importune any member for, or receive from any member, directly or indirectly, advice or any written note or memorandum, with intent therefrom to make any such report."

The proposition lies on the table one day of course.

The house then again went into committee of the whole, Mr. *Baldwin* in the chair, on the *Missouri* bill—the proposed restriction still under consideration.

Mr. *Reid*, of Georgia, addressed the house in a speech of about half an hour, against the restriction.

Mr. *Clagett*, of New Hampshire, followed on the other side of the question, and spoke about an hour in favor of the restriction.

Mr. *Dowse*, of Massachusetts, succeeded, on the same side, and advocated the restriction near half an hour.

Mr. *Randolph*, of Virginia, next rose, and, after a few remarks from him, indicative of an intention to address the house on the question, he made a motion for the committee to rise; when

The committee rose, obtained leave to sit again; and

The house adjourned.

Wednesday, Feb. 2. Mr. *Kent*, from the committee on the district of Columbia, reported a bill concerning the banks of the district of Columbia, [substantially continuing certain charters until 1825; to prohibit the issue of notes below the denomination of five dollars; and providing that, if, previous to 1825, a consolidation of certain banks shall take place, their charters shall be extended to the year 1840.] The bill was twice read by its title, and committed.

Mr. *Strother* offered the following joint resolution:

Resolved, by the senate and house of representatives of the United States of America in congress assembled, That the secret journal of the old congress, from the date of the ratification of the definitive treaty of peace between the United States and Great Britain, in the year 1783, to the formation of the present government, now remaining in the office of the secretary of state, be published under the direction of the president of the United States, and that one thousand copies thereof be printed and deposited in the library, subject to the disposition of congress.

The resolution having been twice read, Mr. *Strother* moved that it be ordered to be engrossed and read a third time to-morrow.

This prompt course of proceeding was objected to—but Mr. *Pinkney*, of S. C. said, he was a member of the old congress, and knew very well what the secret part of its journal contained, and, should it be ordered to be published, the house would find that the little cost which the printing would incur would be well laid out.

And after some remarks by other members, the

resolution was ordered to be engrossed for a third reading.

Mr. *Pinckney* rose to offer a resolution. He remarked, that in the year 1812 the legislature of South Carolina passed a law to prevent duelling, which had had great effect in putting a stop to it; but it was discovered that, in certain cessions of territory in the harbor of Charleston and elsewhere, to the United States, the state has omitted to retain a proper jurisdiction over the ceded ground, upon which, consequently, the state authority could not go, either to prevent the violation of the state laws, or arrest those who had fled from justice. With the view of remedying this evil he moved the adoption of the following resolution, which was read and agreed to.

Resolved, That a committee be appointed to consider the expediency of restoring to all the states the jurisdiction of the territory ceded to them for forts and arsenals, so far as respects the execution of state laws for the prevention and punishment of crimes, and recovery of debts.

After the submission of several resolutions of no present importance to notice—

The house then resumed, in committee of the whole, Mr. *Baldwin* in the chair, the consideration of the restrictive amendment proposed to the *Missouri* bill.

Mr. *Randolph* rose and addressed the committee nearly three hours against the amendment; but had not concluded his remarks, when he gave way for a motion for the committee to rise; and

The house adjourned.

THURSDAY'S PROCEEDINGS.

In the senate. Mr. *Ruggles*, of Ohio, laid before the senate sundry resolutions of the legislature of Ohio, requesting the senators and representatives in congress from that state, to oppose the admission of slavery into any of the territories of the United States, or into any new state which shall be hereafter admitted into the union; which resolutions were read and ordered to lie on the table.

The senate resumed the consideration of this subject—Mr. *Burrill's* motion (offered yesterday) still under consideration.

Mr. *Burrill* withdrew his amendment for the purpose of allowing a different amendment to be offered; when, accordingly,

Mr. *Thomas*, of Illinois, submitted the following additional section, as an amendment to the *Missouri* bill, (which, it will be recollected, it is proposed, by a report of the judiciary committee, to incorporate with the *Maine* bill,) viz:

And be it further enacted, That in all that tract of country ceded by France to the United States, under the name of Louisiana, which lies north of thirty-six degrees and thirty minutes north latitude, excepting only such part thereof, as is included within the limits of the state contemplated by this act, there shall be neither slavery nor involuntary servitude otherwise than in the punishment of crimes whereof the party shall have been duly convicted. *Provided always*, That any person escaping into the same, from whom labor or service is lawfully claimed in any state or territory of the United States, such fugitive may be lawfully reclaimed, and conveyed to the person claiming his or her labor or service as aforesaid."

The amendment having been read, the further consideration of the subject was, on motion of Mr. *Thomas*, proposed to Monday next.

The other business transacted was unimportant. The senate adjourned until Monday next.

House of representatives. Sundry communications were received. Among them—

The speaker laid before the house a letter from the secretary of war, transmitting a report of the quarter-quarter general, with sundry statements of the sums claimed and paid to col. James Johnson, for transportation of the troops ordered up the *Missouri* river; rendered in obedience to the resolution of the 24th ult. adopted on the motion of Mr. *Cocke*.

After other business—

The engrossed resolution authorising the publication of the secret journal of the congress of the old confederation, from the treaty of 1783 to the formation of the present constitution, was read a third time.

A debate, of nearly two hours length arose on it, which resulted in a commitment of it to a select committee, for further consideration.*

The house spent some time in committee of the whole, on the *Missouri* bill. Mr. *Randolph* spoke for some time, in continuation of the argument he commenced yesterday. When he concluded, the committee rose, on motion of Mr. *Hardin*, who is, according to usage, now entitled to the floor: and

The house adjourned.

CHRONICLE.

The slave question. The following resolutions have passed the house of assembly of New York, nearly unanimously—

Whereas the inhibiting the further extension of slavery in these United States is a subject of deep concern among the people of this state; And whereas we consider slavery as an evil to be deplored, and that every constitutional barrier should be interposed to prevent its further extension; and that the constitution of the United States clearly gives congress the right to require of new states not comprised within the original boundaries of these United States, the prohibition of slavery, as a condition of their admission into the union—therefore,

Resolved, (if the honorable senate concur here-in,) That our senators in congress be instructed, and our representatives be requested to oppose the admission as a state into the union, of any territory not comprised as aforesaid, without making the prohibition of slavery therein, an indispensable condition of its admission;

Resolved therefore, That the measures be taken by the clerk of this house, to transmit copies of the preceding resolution to each of our senators and representatives in congress.

OHIO.—The following resolves have passed the general assembly:

Whereas, the existence of slavery in our country has ever been deemed a great moral and political evil; and its tendency directly calculated to impair our national character, and materially affecting our national happiness, and inasmuch as the extension of a slave population in the United States is fraught with the most fearful consequences to the permanency and durability of our republican institutions; and whereas, the subject of the admission of slavery in the new state of *Missouri* is at this time before the congress of the U. States:—Therefore,

**In this debate*, the editors of the *Intelligencer* say—"The *Missouri* question was visible through its whole texture." The *why* is not given—perhaps, some points in the journals may bear upon it.

[Ed. Reg.]

Resolved, by the general assembly of the state of Ohio, That our senators and representatives in congress be requested to use their zealous endeavors to prevent the adoption of so odious and dangerous a measure.

Resolved further, That his excellency the governor be instructed to send a copy of the foregoing preamble and resolution to each of our senators and representatives in the congress of the United States.

The sufferers at Savannah. There seems every where to be an active benevolence to lessen the distresses occasioned by the late fire at Savannah. In most of our principal cities and towns, extensive committees have been appointed to solicit subscriptions—and at public meetings of the people of New York and Baltimore, committees were appointed to wait upon the corporations, with a request that the city authorities would grant immediate relief—but the city councils, in both cases, decided that the charters would not authorise such disbursements of the city moneys.

Military executions. It is said that col. King has been found guilty, by a court martial, of ordering his deserters shot, &c. and sentenced to be suspended for five years, which sentence has been sent to the president by gen. Jackson.

Sixteen pirates condemned.—A letter from New Orleans, dated 1st Jan. states that, on the 30th of December, judge Hall, of the U. S. district court, pronounced sentence of death on the 16 pirates taken at Barrataria some time since by captain Loomis. To prevent any attempt to rescue them from the hands of justice, the military turned out to guard them. They are to be hanged on the 27th of next May, unless pardoned by the president. After the judge had finished pronouncing sentence upon the hardened wretches, several of them cried out, in open court, "murder, by G—d;" and in no respect did they appear to be in the least affected. The letter adds, there is a patrol kept up by the citizens every night to prevent any conspiracy, which it is feared, may be formed, to effect their escape.

Com. Perry. The officers of our squadron in the Mediterranean have been requested by com. Stewart, to wear crape on the left arm for one month, as a testimony of respect to the memory of commodore Perry.

The United States' frigate *Congress* was in Angier Road, on the 20th September last—all well. She had two ships under convoy, one for Manilla, the other for Canton.

The *Columbus* 74 is now nearly ready for sea. It is generally believed that she is bound to the Mediterranean;—others, suppose she is destined for the Pacific.

Tolerant! The New Hampshire Patriot informs us that it is a standing rule in Dartmouth college, to admit no person as a student who is a freemason, except he disowns his connection with them, and to doubly disgrace the student who shall become one after he has entered the college. We did not suppose that there was any thing of this sort in the U. States. How would the little things who prescribed or hold on to these rules, have howed in the presence of WASINGTON, who was zealously attached to the order!

Murder. A Mr. Thomas Hancock, of Edgfield, district, S. C. was lately killed by two of his slaves, one of whom confessed the fact, to relieve his own conscience. The deceased was shot as he was getting into bed. One of the slaves is condemned to be burnt to death, the other to be hung.

Another.—A young man at Lawrenceburg, Ohio, who was to be married the next day, was shot through the head, and instantly killed, by another, who demanded that he should resign his intended bride, which he refused to do.

Died, at Manchester, Va. on the 24th ult. gen. Thomas Parker—a soldier of the revolution.

—recently, in Watertown, Mass. capt. John George, aged 69; and at Marblehead, capt. William Crowninshield, aged 86, soldiers of the revolution and pensioners under the act of March, 1818.

—at Newport, R. I. on the 29th ult. William Ellery, esq. in the 93d year of his age. *He was one of the signers of the declaration of independence.*

New York. At a meeting "of the friends of the state administration" at Albany, on the 26th ult. *De Witt Clinton* was unanimously agreed upon to be supported for governor of the state of New York; John Tayler, was in like manner agreed upon for lieutenant gov.

Law case. The Boston Patriot contains a long law case interesting to importers of tea. It appears that a quantity of *Congo tea* was imported into New York, in the ship *Ontario*, and paid duties as *Bohea teas*; but, on being sent to Boston, was seized by the collector on an alleged difference from the entry. Notwithstanding it was proved by witnesses from New York that *such teas* had been of late years repeatedly entered as *Bohea*, yet the court, after much deliberation, declared the act *fraudulent*, and decreed a forfeiture of the tea in question.

Pennsylvania.—A committee was raised in the senate of this state to enquire into the extent and causes of the present general distress. Their report is a most able one, and we will give it entire, as soon as we can. The vile banking system is justly reprehended as the foundation of calamity, and a precious history of this mania in Pennsylvania is given. Means are recommended to limit the spread of ruin by those banks which yet remain, as the best way of relieving the public distress; and recommending loans to individuals by the commonwealth.

Arkansas. The first election for a delegate to congress was recently held in this territory. There were five candidates, who had respectively 401, 343, 222, 155 and 138 votes. James W. Bates, esq. having 401, was elected. Whole number of votes given 1263.

A wild goose chase.—At the early dawn of thanksgiving day, Mr. Eliphalet Thayer, of Dorchester, took his gun and went to Neponset river with the purpose of getting a shot at gulls. He saw seven wild geese in the river, at which he fired, and hit the gander so as to break his wing. The other geese immediately flew; but the call of the gander brought them down again, so that he had the chance of firing again, and killed the old goose, and one of the young; the four others rose, but the wounded gander by his calls served as a decoy, and they again alighted by him. The third shot crippled another. Mr. T. then took a boat, and from it killed two as they rose to fly; and soon after shot the seventh.—He returned home to his breakfast, about 9 o'clock, bringing his seven geese, which weighed about eight pounds each, and produced him above 3lbs of feathers.—*Salem Gazette.*

Charleston, January 27.—We have seen a specimen of white marble, recently discovered in Sparthenburg district, about five miles from Broad river. It is acknowledged to be very superior; and its grain is said to surpass that of the Italian marble.

NILES' WEEKLY REGISTER.

SUPPLEMENTARY TO NO. 23—VOLUME V.—NEW SERIES.

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

Legislature of Pennsylvania.

GOVERNOR'S MESSAGE.

To the senate and house of representatives of the commonwealth of Pennsylvania.

FELLOW CITIZENS—The annual meeting of the legislature affords a periodical recognition of the rights of the people to self-government, and a practical illustration of its policy. This invaluable principle we are bound to uphold, no less from motives of interest, than those of veneration for the memories of our fathers, by whom it was established and transmitted to us.

It has hitherto been successfully maintained through the vicissitudes of peace and war; the most sanguine expectations of the genuine friends of American independence have been more than accomplished, and the advocates of the equal rights of man, throughout the world, have ceased to doubt of the strength and durability of republican government.

An enlightened and patriotic administration of the federal government has elevated its character abroad, while it has realized the hopes and secured the confidence of the people at home.

Pennsylvania, as a member of the union, and a separate commonwealth, affords inducements to the exercise of virtue and industry, and security for life, liberty and property.

These blessings, and the degree of health enjoyed under the auspices of divine Providence in the interior of the state, and the exemption of our metropolis from contagious and malignant diseases, demand our grateful acknowledgments.

The various duties devolved upon the executive during the recess by the acts of the legislature, have received due attention, and have either been performed or are in a regular course of execution.

The commissioners appointed by law for the erection of the state capitol, have entered into an agreement with an architect to complete the building; a copy of which they will lay before you, accompanied by a report on the subject.

A communication from the governor of the state of Maryland, in relation to the alleged obstructions in the Susquehanna, by the Susquehanna canal company, also a report from the commissioners of the Union canal company, representing the failure of their efforts to obtain further subscriptions for that important work, have been received, copies of which will be submitted to you.

The commissioners appointed to explore a route for a canal to unite the waters of Cickesalungo, Conestoga and French creek, have not commenced that work, in consequence of the insufficiency of the compensation provided by law. It is however expected that they will ascertain the depression from the top of the lowest of the dividing ridges, and examine the supply of water, which will enable them to decide upon the practicability of the connexion, and that they will report the result in the early part of the session.

The silver medals, directed by a resolution of the legislature, adopted the 31st of January, 1814, to be procured and presented to those citizens of Pennsylvania, who gallantly volunteered on board

the American squadron on Lake Erie, under the command of captain Perry, have been lately obtained. The measures taken for presenting them, and for the delivery of the gold medals, directed in the same resolution, shall be the subject of a future communication.

The provisions of the act passed the 29th day of March last, entitled, "A supplement to the act entitled, "An act regulating banks," have not been carried into effect against any of the banks of the commonwealth, though it is probable that their operations may have been in some degree influenced by its existence. It is understood that several of them have not been able to maintain their issues of paper upon a specie basis, and the stockholders have determined to wind up and dissolve their institutions; and others have suspended their operations for the present, with perhaps a similar and laudable intent. But whether we regard the conduct of those concerned in the management of banks, or the force of public opinion, there is little reason to apprehend that a recurrence by any bank, to an issue of paper upon any other than a specie basis, will either be attempted, or if attempted, acquiesced in. As long as that standard is preserved, it is worthy of deliberate consideration, whether it may not be most prudent to permit the fluctuating paper of our different banks to find its level through natural, rather than artificial channels. In some parts of the state there is an inequality in the current value of the paper of the banks which pay specie promptly for their notes. However desirable it may be to have a perfect uniformity in the paper of those banks, it is very doubtful whether any adequate remedy for the inconvenience can be expected from legislative efforts. The regulation of the currency, is a power delegated by the constitution to the national government; but the subject is of momentous concern to the state governments; and whatever measure, within the sphere of the powers reserved to them, may be calculated to give stability and permanency to the established standard of value in our country, cannot fail to receive the deliberate and serious attention of an enlightened legislature. The annual reports from the banks, directed by law to be made to the legislature, will give more practical information on the subject, and enable them to determine with more certainty, what further regulations it might be proper to adopt.

In turning our attention to the general state of domestic economy, it will be perceived that the present period is one of peculiar difficulty. Whether the pressure for pecuniary resources and general stagnation of business so much complained of, proceeds from the improper extension and misapplication of bank credits; excessive importations and consumption of foreign merchandize, heightened by the depression in the price of domestic products and land; the sudden reduction of bank loans; the great depreciation of notes issued by banks that have suspended business; the general distrust of creditors and money lenders, and consequent failure of private credit to afford its usual and necessary aid, or from all these combined with other causes; there can be but little diversity of opinion as to the most efficient and appropriate relief. The subject,

therefore demands the most serious consideration of the guardians of the public welfare.

An attentive examination of passing events will justify the conclusion, that notwithstanding many discouragements, there is reason to believe that the general distress has arrived at its greatest height; and while it admonishes us that human happiness is not free from alloy, it exhibits nothing to excite further alarm or create despondency.

The prevailing disposition so strongly manifested among the people in every part of the commonwealth to substitute the consumption of domestic products and fabrics in place of foreign, must, if persevered in, give a new spring to many important and productive branches of internal industry; while the determination no less prevalent to curtail unnecessary expenses, at the same time will greatly contribute to relieve individual embarrassments. When those who are involved in debt, shall have reduced their expenditures within their income, and recommenced in whatever degree the payment of their debts, the apprehension of creditors and the pressure upon debtors, will in the same proportion be relieved; credit will gradually revive, and a restoration of confidence may be expected to cause dormant funds, now locked up by suspicion and distrust, to flow in their accustomed channels. As a further effect of the same causes, we may confidently anticipate a diminution in the sales and sacrifices of property, together with an increased ability on the part of purchasers and consequent rise in the price of land: the mass of depreciated bank notes will find their way by the payment of debts, into the banks from which they issued; and it is hoped that when any portion of the people shall be relieved from their embarrassments, the formation of other habits in the mean time, aided by their experience of the fatal system of business which has produced so much evil, will thereafter ensure a more cautious and prosperous course.

But whatever may be our reliance upon these operations, as the natural and necessary progress of affairs in a state possessed of so many substantial resources, I submit it to your consideration whether it would not be practicable and expedient for the commonwealth to co-operate in the general effort to revive credit and arrest the progress of distress. It is believed that a sum of money might be drawn from comparative inactivity by means of the credit of the state, to constitute the fund of a *loan office*, from which loans might be made upon landed security. This would not only prevent many sacrifices of property by legal process, but essentially aid in giving new life and activity to numerous pursuits of productive industry, and facilitate the progress of restoration from the embarrassments that now surround us.

But it is no less necessary to guard against the return of evil, than to devise measures of present relief: our exertions to acquire property are more generally the offspring of necessity than choice; and while a portion of our population incline, either from habit or prejudice, to prefer the fabrics of foreign to those of domestic manufacture, it will be an important duty of the government to endeavor to improve the arts of economy, and encourage the development of our internal resources, as indispensable to our future prosperity.

Whatever doubts may exist as to the policy of our becoming an extensively manufacturing people, the experience of a few past years must have satisfied every discerning mind, that the only safe reliance is upon our own resources, ingenuity and enterprise, which are altogether adequate to the

supply of the principal comforts and necessities of life. The community wherein the greatest diversity of appropriate pursuits is encouraged, will feel least sensibly the unfavorable vicissitudes to which all employments are occasionally exposed.

The limited powers of the state government do not admit of an extensive plan for the encouragement of those branches of industry, that are exposed to a foreign competition; but next to securing by commercial regulations the advantage of the home market, the most beneficial measure will be to stimulate improvements in the skill of our artists, and remove the prejudices which oppose the general use of our domestic fabrics. With a view to this object, it is recommended to encourage the organization of societies in the several counties, solely for the purpose of promoting agriculture, manufactures and domestic economy; and that a sum of money be paid to them from the state treasury, to be distributed by their direction, under proper modifications, in premiums for the advancement of the various branches of internal industry and economy, best suited to the soil, climate and the condition of the people in the respective districts. The time is propitious for the efficacy of such associations; and while the charge upon the treasury would be inconsiderable, the effect of such a stimulus upon a laudable emulation natural to the human mind, would be sensibly felt in the formation of new habits, and in giving an impulse to those pursuits which contribute not less to the permanent prosperity of the community, than to the perfection of our national independence.

On the subjects of education, marriage, the judiciary, militia and internal improvements, I refer you to my communication to the legislature at the opening of their last session. As, however, it is of great importance to ascertain with precision the extent of improvement to which our inland navigation is susceptible, I would repeat my recommendation that a board of commissioners be appointed, to make surveys and to take the level of our principal streams, report the practicability of rendering them navigable, and connecting them by canals so as to unite the waters of the western lakes with the tide water of the Delaware near Philadelphia, accompanied with plans and estimates of the expense of execution. The information that might, without much expense, be thereby acquired, would be highly beneficial; and if the measure should be found practicable, as its accomplishment would contribute nearly to the equal accommodation of our constituents, no sectional jealousy can exist against bringing the resources of the state into operation, whenever they may be required for the purpose.

When we consider the proximity of the sources of the eastern and western navigable waters of Pennsylvania and the probability that a direct water communication may be made by their connexion through the state from the Atlantic shores to the waters of the vast regions of the western states and territories, we can hardly overrate the magnitude of the object that opens to our view and invites our enterprise, or the greatness of the reward that awaits us by its completion.

The commissioners appointed by the state of Virginia, Kentucky, Ohio and Pennsylvania, to examine the obstructions in the navigation of the Ohio river, have lately made a report to me, copies of which are herewith transmitted. It is accompanied with drafts and plots, with explanatory notes, evincing the ability and assiduity of the commissioners in executing the duties assigned them. Cor

pies of these shall also be laid before you, as early as they can be prepared. They contain a detailed description of the nature and extent of the obstructions, which it appears can be overcome or removed at a comparatively small expense; and the benefits that would arise therefrom are so fully set forth in the report, that they will, I trust, induce the legislature to adopt the measure it recommends. Whether we view the immediate advantages that would flow to Pennsylvania, and especially to our western city and country, by its adoption, or consider the improvement as an important branch in the extensive system of inland navigation alluded to, there is no object of internal improvement to which an appropriation of the amount suggested by the commissioners could be more beneficially applied.

The state being deeply interested in the improvement of the navigation of the river Schuylkill, I was induced in the month of June last to view part of the works that were erected by the company incorporated for the purpose. Some of the dams that had been erected were considerably injured by the last spring freshets, but it is understood that they have been repaired, with improvements for their future security. The circumstance has neither abated the zeal of the company, nor diminished confidence in the utility of the plan of improvement they have adopted; and the work is progressing with an activity that does great credit to the enlightened spirit of enterprize with which it was undertaken.

A company was incorporated in July last, for the purpose of making a lock navigation in the river Monongahela. It is not ascertained whether they have commenced the prosecution of the work, or what are the prospects as to its ultimate success.

It may be proper to state, that if the companies incorporated for the purpose of improving our inland navigation, were directed by law to make annual reports to the executive, of the expense and progress of their respective works, some time previous to the meeting of the legislature, much practical information might thereby be collected and usefully diffused, on a subject upon which we have hitherto had but little experience.

The completion of several turnpike roads, authorized by law to be made, and especially those leading directly from the western and northern parts of the state to Philadelphia, would be attended with important and immediate advantages, and be greatly facilitated by additional aid from the treasury of the commonwealth. The completion of some of the sections of those roads has involved the respective companies, as well as individuals, in heavy pecuniary embarrassments; and as it is believed that this has arisen, more from their disposition to accomplish objects of public utility, than with a view to their private interests, it would be proper to relieve them.

The repeated violation of the laws for the suppression of vice and immorality, evinces the necessity of some efficient measures being adopted for their faithful execution. The breaches of the Sabbath, and the practice of horse racing, with their accompanying vices, and others of a demoralizing tendency, are openly committed with impunity. The restraining of vice, and inculcation of virtue, are among the highest and most solemn duties that appertain to a republican government; to effect which, as well as to sustain our political institutions, it is indispensable that the dominion of the laws be maintained.

I cannot forbear to urge upon your attention the necessity of some provision for the punishment of

the crime of kidnapping, more adequate to the prevention of the offence, as well as more proportioned to other punishments for crimes of inferior grade. It is a melancholy fact, that our laws regard the stealing of a horse a more heinous offence than that of stealing a man.

In pursuance of the act of congress for arming and equipping the whole body of the militia, the United States have delivered since the last session of the legislature, to the armorer at Meadville, as appears by his report, five field pieces of six pound ball, with carriages and implements complete for six pieces: also three thousand two hundred and eighty muskets and bayonets, in part of the quota of arms due this state. The United States had not at the city of Pittsburgh in May last, rifles to supply Pennsylvania with five hundred, according to the request of the legislature: but from the intimation of the major of ordnance at that city, there is reason to believe they will be furnished in the course of the next year. On obtaining information that the powder remaining in the arsenal at Meadville was in a perishing state, I directed the armorer to sell it, and pay the proceeds of the sale into the state treasury.

It is expected that the adjutant general will shortly be able to procure a return of the militia, the number and condition of the arms, military stores and camp equipage, belonging to the commonwealth; which will, when received, be laid before you. It has, however, been already ascertained, that an additional appropriation will be necessary to complete the repairs and cleaning of the arms in the several state arsenals.

The accounting and treasury departments will, in conformity to law, report to you a statement of the finances of the commonwealth, and a detailed account of the receipts and expenditures at the treasury, for the year ending on the 30th November last, exhibiting a balance in the treasury of \$39,591 40 cents; from which, and an especial report from the auditor general made to me, a copy of which is herewith transmitted, it will appear that the proceeds of several branches of revenue have been diminished, and that a considerable portion of the appropriations towards objects of internal improvements made by laws enacted several years since, have been paid within the year. There are still large balances of such appropriations unpaid, part of which may be immediately demanded, and the remainder probably within the next and two succeeding years; which renders it indispensable to resort to further loans in order to sustain the plighted faith of the commonwealth.

These reports will also show that the annual revenues exceed the annual expenses of the government, by an amount sufficient to pay the interest on the debt already incurred, and such further loans as may be necessary to meet existing engagements for the ensuing year; aid, to a certain extent, internal improvements, and other objects for the promotion of the public welfare, and also constitute a fund for the gradual redemption of the debt created. The unexpended appropriations will probably not all be paid before some of the former loans become due; and as the situation of the finances may not warrant their reimbursement at the stipulated periods, unless specific provisions be made for the purpose, I submit for your consideration the propriety of anticipating their payment, and protracting the time for the demand on the treasury, by authorizing another loan for the whole amount, and issuing stock for the

same, redeemable after a given period, at the pleasure of the commonwealth.

In pursuance of an act of the legislature of the 29th of March last, a loan was negotiated with the bank of Pennsylvania, on the 19th of April, for \$50,000; on the 17th of June, for \$40,000; and on the 29th of October for the like sum, at the rate of six per cent, per annum, payable within four years, in such instalments, as in the opinion of the governor the finances of the state may justify.

The trusts confided by our fellow-citizens to the several branches of the government, are at once honorable and arduous; in the discharge of which they have a right to expect from us the exercise of vigilance and wisdom, and also that we inculcate, by precept and example, the spirit of benevolence and all the virtues of social life; and thereby demonstrate, that the dismissal of party jealousy and rancour is not incompatible with an adherence to political principle.

WM. FINDLAY.

Harrisburg, December, 10 1819

Missouri Question.

DEBATE IN THE SENATE.

Monday Jan. 17. The senate having resumed the consideration of the bill for the admission of Maine into the union, with the amendment reported thereto, which embraced the case of Missouri also—

Mr. *Roberts* of Pennsylvania, moved to amend the said amendment by adding thereto the following:

"Provided, that the further introduction into said state of persons to be held to slavery or involuntary servitude within the same, shall be absolutely and irrevocably prohibited."

This said amendment having been read—

Mr. *Roberts* said his objection to the order followed in the introduction of this bill, was a serious one. Irregularity in legislative proceedings ought always to be avoided, but more especially on a question laying the foundations of a great community. I have thought, said he, and still think, (with deference to the decision had,) it has been an unfortunate course, and that this will be more apparent as we progress. Many remarks which fell from gentlemen in the discussion hitherto had, now invite reply. I have taken some care to arrange my thoughts for that purpose; but I have determined to withhold them at this time. The subject we are entering upon is one of great magnitude; claiming the coolest exercise of the faculties of the understanding, and the absence from the mind of all sorts of passion. I very much desire to avoid touching any and every subject however pertinent, calculated to awaken impatience or dissatisfaction, or to use language which may be justly excepted to, as incompatible with this declaration.

It has sometimes been permitted, in God's providence, that a people should deliberately fix the great principles of their polity, under circumstances happily calculated to secure to themselves and their posterity the high blessings of his benevolent justice, so as to promise the fulfilment of the great end for which he created man—happiness. Such was the occasion when these states declared themselves free and independent; such was that that secured to the people of the north western territory the fundamental principles of civil and religious liberty; and such let me observe, and not least in importance, is that on which we are deliberating. The people of these happy states were the first who proclaimed before the universe, "that

all men are created equal; that they are endowed by their creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness: that, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed." I pray you, sir, go back with me to the memorable era of which I am speaking. How stood the affairs of our ancestors when they adopted these truths as the maxims of their policy? The power of one of the mightiest nations of the earth was raised to crush them; that power was directed by a vindictive spirit of an incensed king and parliament, and prejudiced people. A large mass of the people of America adhered to the mother country, ready to become her willing instruments in the worst scenes of the sanguinary conflict. The states were without government, without allies, without revenue, without arms, without military organization. In such a state of things, under such circumstances, they called the Supreme judge of the world to witness that, as to them, his laws had been violated, and it had become their duty to resist oppression, and on the purity of their motives they invoked the protecting arm of his providence, and plighted their lives, their fortunes and their sacred honor to vindicate the truth, that governments ought to secure to all men the unalienable rights of life, liberty, and the pursuit of happiness. What a prodigy! Truths that the speculative philosopher and retired philanthropist had hardly ventured to indulge, were now proclaimed, as the bright gem which was to be obtained cheaply, at the cost of every danger man could encounter. All that was before wonderful sunk into littleness. The fainting hopes of humanity were revived; the world was irradiated by the blaze of truth; it was the voice of justice crying from the wilderness, wither the arm of tyranny had banished her—Despair not ye oppressed nations! my temples are not every where desolate: there is still a people determined and able to vindicate my empire! The pledge they gave was redeemed: The arm of that providence, besought with all the fervency of the prayers of suffering virtue, was extended to good men, engaged in a just cause, who had sworn to establish the great principles of social liberty, or fall willing victims in the high attempt. The oppressor was humbled to acknowledge our country was, and of right ought to be, free and independent. Magnanimous allies had been obtained during the contest, and the recognition of the independence of our country by Britain, removed the last caveat to our admission into the community of nations. History informs us, though independence and peace has been achieved, still much remains to be done by a wise policy and just laws, to secure the benefit of the great principles consecrated at the birth of our political community.

In 1787 an occasion offered more felicitous than that with which the faculties of sovereign power were assumed, to apply the just social principles unanimously recognized by the great act of the congress of 1776. The cession of the north western territory by the several states claiming it, in full sovereignty to the United States, gave to the old congress an opportunity of shewing that peace and security had not weakened their faith in, or lessened their attachment to the principles of the great corner stone of all our laws and constitutions—the declaration of independence. That instrument had the unanimous vote of the representatives of all the states: there was no geographical distinctions then: slave-holding and non-slave-hold-

ing states were not thought of. By one simultaneous act the congress declared, and the states ratified the declaration—that governments were established to secure the enjoyment of individual rights, deriving their just authority from the consent of the governed.

At that time, let it be remembered, all the states contained slaves, and all the states declared, before the Supreme Judge of the world, that slavery was a violation of his truth, and admitted the binding obligation to remedy the wrong when possible. Now, let us recur to the ordinance of '87, and the articles of compact it contains. I can do it justice in no other language than that declaring its purpose as laid down by the wise and good men who conceived and gave it effect. Thus it reads: "And for extending the fundamental principles of civil and religious liberty, which form the basis whereon these republics, their laws, and constitutions are erected; to fix and establish those principles, as the basis of all laws, constitutions and governments, which forever hereafter, shall be formed in said territory; to provide also for the establishment of states and permanent government therein, and for their admission to a share in the federal councils, on an equal footing with the original states, at as early periods as may be consistent with the general interest." Look at the scope and character of this declaration. Here, indeed, the great self-evident truths of which I have been speaking, were applied in full effect to a virgin territory, unstained by the vices, untainted by the errors, and unembarrassed by the mistaken notions of interest, incident to human society. They were the laws of God, applied to a country before it had been peopled, by a wise foresight, which has been often displayed under the guidance of a kind Providence, by the councils of our country. At the era of independence, the wholesome maxims of policy recognized could not have their full effect, because, in the infancy of our settlements, the curse of slavery had been entailed on us by a blinded and unkind mother country. All that virtue could require was, that so inveterate a disease should be relieved, by applying diligently discreet correctives, and, above all, guarding against the extension of the evil. Thus do we find, four years after peace had been settled, on cool deliberation, the federal council seized the first opportunity of planting the fundamental principles of civil and religious liberty, like seed sown in a soil received, as it were, from the hand of the Creator, where they designed them to flourish in eternal vigor, and spread their fragrant branches through the world. This mighty stroke of a wise policy was had under the utmost freedom from all bias of selfishness and of constraint.

The great men who executed this trust, looked not at the bearings of interest, or to the gratification of an unworthy ambition. The ordinance declares a second time, that slavery was viewed as a great evil, and one, for the existence of which, the people of that day were not accountable. That states, who found themselves under the sad necessity of permitting its continuance, might, at the same time, without inconsistency, declare again and again, all men are created equal. This immortal ordinance, which, with its elder sister, the declaration of independence, will shed eternal and unextinguishable lustre over the annals of our country, was also adopted by an unanimous vote. It was aye, aye, from New Hampshire to Georgia. Here again there was no geographical distinction. In this act of imperishable virtue, Virginia had the largest share. She ceded the most extensive and best founded

right to the territory. She left congress free to impress on it the fundamental principles of civil and religious liberty. She gave her ready voice for the ordinance, and it is believed her representatives were among the most ardent advocates for the measure. I cannot look into the provisions of the articles of compact, without burning with admiration of their principles, and the wisdom and virtue by which they have been consecrated. There are no marginal notes or I would briefly recount them. The rights of the untutored Indian were guaranteed, and, in the goodness and wisdom of the legislator, it was left open to his hopes that his posterity might one day enjoy the blessings of the rights they secured. These blessings, Mr. President, have been already consecrated to three stars of your constellation, that will soon take rank as of the first magnitude. Ohio will probably appear in that character at the next census. I have spoken of the ordinance of '87, as applying to a territory. But of what mighty magnitude is it! It is fitted to contain a mightier population than the mightiest of the old continents. If its history was not insulated by more comprehensive events, it might now stand as the world's best hope. In this instrument it was not necessary to repeat that all men are created equal; that was already inscribed on the corner stone of all your laws and polity. It was here enough to say, no man should be a slave, and that every man should have an equal share of civil and religious liberty by the decree of unchangeable justice. So far we discover no holding back, all is one consistent, just, enlightened, and unvarying policy. Every thing seems to have been done in the divine spirit, breathed by the representatives of an oppressed people, in the declaration of independence.

About this period it became necessary to form a more perfect union, and the constitution, framed by an assembly in which Washington presided, seemed to have put the last hand to the work which placed on an immovable foundation the fundamental principles of civil and religious liberty, whereon our republics, their laws and constitutions are erected. That instrument, framed with almost superhuman intelligence, clothed the congress with all legislative power granted in it, and with power to make all needful rules and regulations respecting the territory belonging to the United States; and all engagements were declared to be as valid against the United States under the constitution, as under the confederation. Among the first acts of the new congress, is one providing that the ordinance of '87 should continue to have full effect. At the formation of the constitution this ordinance must have been well understood. It was enacted a little time anterior to the adjournment of the convention, and was the harbinger of the great compact of union. The councils from which they emanated were clothed with the power, and represented the majesty of the people, and it was impossible that the compromise resorted to by the convention, in settling the rule of representation and taxation, should not have been considered as applicable only to the states then existing, and to those which might be admitted out of the territory of the good old thirteen. The same obligation of duty, consistency, and regard to right, which induced the old congress to prohibit slavery in the north-western territory, could not have been inoperative in the convention, as many states had long before abolished slavery; and nobody seems then to have thought it admissible only under hard necessity.

I think it will scarcely be contended that, in '87,

any of our councils could have contemplated the purchase of the territory which presents the great question on which we are now deliberating, or that such a question could have grown out of such an event

The necessity for the free navigation of the Mississippi compelled us to acquire jurisdiction at least over it and the island of Orleans; they, however, were not to be had only as connected with the immense region of Louisiana, the limits of which we yet hardly know. Who could have imagined, at the time it was ceded, it would at this time be contended in the congress, that it should be overspread with a slave population, and thus unsettle the compromise, had in the constitution, in the delicate feature of representation. Originally, the compact was liberal towards the slave holding states. In our progress, they have been almost exempted from yielding the equivalent stipulated, in direct taxation. The burdens of the impost revenue are by no means equal, as a free population must consume more than one formed nearly one half of slaves. But, as God is my judge, I am entirely indisposed to touch or complain of the fair operation of the compact. I hope, devoutly, we may long continue exempt from direct taxes. The non-slave holding states will continue to do, as they have done cheerfully, all that good faith and an attachment to the union enjoins on them. Though on them the bargain works hardly, they will, when it be requisite, add their blood and treasure, pledged to protect their co-states from domestic violence. But here they ought to stop; and further, it is hoped, there will be no disposition to drive them. For myself, I never can consent my representatives should vote with those representing property beyond the bounds of the old United States, further than we have already gone.

The amendment reported by the committee, if it be unmodified, presents this question: Shall a territory, foreign to that which composed the parties to the constitution, be admitted as a member into the union, on terms disparaging to our institutions, and for which there is not even a precedent. No state has been yet admitted into the union who has not been required to recognize in her constitution at least, the principles of religious liberty; and four have been admitted who have been required, by irrevocable compact, to establish civil, as well as religious liberty. But now, for the first time, the pretence of exemption from these wholesome and salutary recognitions is set up. I wish it to be understood, I am willing and anxious to see Missouri a state; all I wish is, that she may be admitted in conformity with the principles on which all the states in the union rest, and according to those principles on which the government has acted from the first. The report of the committee proposes her admission on grounds denying the best principles of free government, and in disregard of every usage of our own. The amendment will correct, in a small degree, the mischiefs that must result otherwise. It inhibits the further introduction of slaves to the new state. The proposition is narrow, if admitted; but its rejection would be to set at naught the inherent rights of man in this widely spread region. The covenant of our fathers, made in the dark days of peril and calamity, which the Supreme Judge of the world was invoked to witness, will be obliterated, and the compromise of the constitution, in its most delicate feature, will be given to the winds.

It is contended that new states are to be admitted into the union on the footing of original states.

These words are not found in the constitution. It may be well to enquire how these words have gotten into acts of congress admitting states. We do not find them in those admitting Kentucky and Vermont. The phraseology used in these cases is, "entire new members."

In 1787, North Carolina ceded to the United States the territory which is now called the state of Tennessee. In the cession she stipulates, among other things, that the inhabitants of that territory should enjoy the benefits of the ordinance, save only that the congress should pass no law tending to emancipate slaves. In this, I apprehend, it will hardly be contended, she was binding them by restrictions, but that it will be allowed she intended to secure to them all the liberty their condition would permit. This recognition and ratification of the ordinance is proof of the estimation in which its principles were held; and Tennessee has been admitted under its enfranchizing, or, as you will call them, restricting provisions, and has long appeared amongst us as an ornament to this body. On her admission are the words "on an equal footing with the original states" first used. She being the first state admitted under the articles of compact in the ordinance of '87, the words were from thence transplanted, and, like texts from another book not standing in their original relation to other words, their meaning has been misunderstood. Turn to the ordinance and they are made plain. It there reads, the "new state shall be a limited when it shall have 60,000 free inhabitants therein, by its delegates in the congress of the United States, on an equal footing with the original states in all respects whatever, and shall be at liberty to form a permanent constitution and state government; provided, the constitution and state government so to be formed shall be republican, and in conformity to the principles contained in these articles." These are the conditions under which seven new states have been admitted into this union, save only the article respecting slavery has been silent in the admission of Tennessee, Mississippi, and Alabama, and, by especial reservation, it has not been required of Louisiana to forbid slavery.

Can it be possible after this long settled construction, it shall be seriously contended, that the congress, in the admission of Missouri, can propose no check on the evil of slavery, and by parity of reasoning, none or any portion of the country acquired under the title of Louisiana? We have seen Mississippi and Alabama brought into the confederation, under compact to permit slavery. Louisiana has been so admitted in the discretion of congress. On what grounds I know not, but I am bound to believe from what was understood to have been uncontrollable necessity. If so, it can avail Missouri nothing, as no such necessity exists in this case. The amendment has, I have to regret, but a limited operation on slavery. It is not proposed to free the slaves in Missouri, but to prevent their increase by emigration. This principle does not touch at all the provisions of the treaty. The country is to be eventually incorporated into the union, it is admitted. We are all anxious the portion in question should. The dispute is, shall she be admitted without securing to her the franchises of civil and religious liberty, as far as her condition admits of its being done. Congress have power to prevent the migration of slaves, and tho' lexicographers may not be uniform in their interpretation of the word in general acceptation, it means change of place—so it has been construed by the congress. An act now exists prohibiting the migration of slaves to

Louisiana, in any manner, but as bona fide the property of persons actually going to settle within it. I know it will be alleged that it is repealed. But I have searched the statute book, and looked into the constitution of Louisiana and can find no repeal of it. The section I allude to is as follows: "It shall not be lawful for any person or persons to import, or bring into the said territory, from any port or place, without the limits of the United States, or cause or procure to be so imported, or brought, or knowingly to aid or assist in so importing or bringing, any slave or slaves; and every person so offending and being thereof convicted before any court, within said territory, having competent jurisdiction, shall forfeit and pay for each and every slave, so imported, the sum of three hundred dollars; one moiety for the use of the U. States and the other moiety for the use of the person or persons who shall sue for the same, and every slave so brought, shall thereupon become entitled to and receive his or her freedom. It shall not be lawful for any person or persons to import or bring into said territory, from any port or place within the limits of the United States, or to cause or to procure to be so imported or brought, or knowingly to aid or assist in so importing or bringing any slave or slaves which shall have been imported since the first day of May, one thousand seven hundred and ninety eight, into any port or place within the limits of the United States, or which may be hereafter so imported, from any port or place from without the United States; and every person so offending, and being thereof convicted before any court within said territory, having competent jurisdiction, shall forfeit and pay for each and every slave so imported, or brought, the sum of three hundred dollars; one moiety for the use of the U. States and the other moiety for the use of the person or persons who shall sue for the same. And no slave or slaves shall be introduced into said territory directly or indirectly, except by a citizen of the United States, removing into said territory for actual settlement, and being, at the time of such removal, bona fide owner of such slave or slaves, and every slave brought into the said territory, contrary to the provisions of this act, shall thereupon be entitled to and receive his or her freedom."

If this be the law, where is your wonder-working writ of habeas corpus? Are your judiciary asleep, and your law a dead letter? If I be mistaken, I hope to be corrected; but, it is enough for my purpose, to shew such a law has existed, and that the power of congress to regulate the migration of slaves, is not a new doctrine, nor now first proposed to be exercised. It proves incontestibly the motion I have now offered has not hitherto been deemed as conflicting with the provisions of the treaty of cession. I am willing to consider Missouri as an inchoate state; no one will more gladly see her admitted into the union. But I wish to see the page of her constitution irradiated with the fundamental principles of civil and religious liberty; to see her become a party to that covenant round which the patriots of '76 pledged their lives, their fortunes, and their sacred honor. The committee have attached the admission of Missouri to the bill for admitting Maine, under the pretext of congeniality. How insufficient the pretence! what ludicrous incongruity do the two propositions present! You are not acting on a section of two or three lines; as to Maine, it is her constitution you are ratifying. What do you find on the front of it? "Art. 1st. section 1st. All men are born free and equal, and are free to worship God in their own way." Here is a substantial pledge

to the good old faith. To her, we may say—come, sister, take your place in our constellation: the lustre of your countenance will brighten the American galaxy. But do not urge us to admit Missouri, under a pretence of congeniality—with the visage of a savage, deformed with the hideous cicatrices of barbaric pride, with her features marr'd, as if the finger of Lucifer had been drawn across them.

In all former cases of admission, congress had given a previous pledge as to terms; but here, the question is without this influence. No pledge has been given. The act of 1812, the latest passed respecting the government of this territory, (by the way a very liberal one for a colony,) provides a bill of rights. I will recur to it:

"The people of the territory shall always be entitled to a proportionate representation in the general assembly; to judicial proceedings according to the course of common law, and the laws and usages in force in said territory; to the benefit of the writ of habeas corpus. In all criminal cases, the trial shall be by jury, of good and lawful men of the vicinage. All persons shall be bailable, unless for capital offences, where the proof shall be evident, or the presumption great. All fines shall be moderate, and no cruel or unusual punishment shall be inflicted. No man shall be deprived of his life, liberty or property, but by the judgment of his peers, or the law of the land. If the public exigencies require, for the common preservation, to take the property of any person, or to demand his particular services, full compensation shall be made for the same. No ex post facto law, or law impairing the obligation of contracts, shall be made. No law shall be made which shall lay any person under burden or disability, on account of his religious opinions, profession or mode of worship, in all which he shall be free to maintain his own, and not be burdened for those of another. Religion, morality and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall be encouraged and provided for from the public lands of the United States, in said territory, in such manner as congress may deem expedient."

Here are some of the essential principles of civil and religious liberty, secured to the territory by statute. They are, as far as they go, the principles of the ordinance of '87, but they are merely statutory, and not compact; and if they be omitted in the constitution of the new state, they cease to have effect. It has hitherto been the unvarying policy, in admitting new states, to make these great franchises matter of unchangeable compact.

The idea is somehow entertained, that a state, once establishing the just principles of civil liberty, may at pleasure withdraw the security on which she has placed them; and, of course, religious liberty also. If this be the fact, we are not so far removed from tyranny and oppression as I have hoped and believed us to be. Can Vermont, New-Hampshire, Pennsylvania or Ohio, authorise and establish slavery? I hold the idea is without foundation. Such a power in the constitutions of all these states, is held to be incompatible with the nature of legislative trust, and is excepted out of the powers of the government. I would gladly give Missouri the same franchises Pennsylvania enjoys, whose humble representative I stand here, and whose rights, as a member of the federal union, I cannot abandon on any plea of convenience to Missouri. I do not deny Pennsylvania has her slaves—but her laws have allowed no child, born since 1780, to be held as a slave. In pursuance of the declaration of indepen-

dence, she has acted on the principle that all men are created equal; she has broken the rod of oppression on the altar of justice, and the oppressor has disappeared before her uncreating word.

Mr. President, if this amendment is to be rejected, it must be either on the ground of a want of power to arrest the evil of slavery, through the operation of the constitution or the treaty, or from uncontrollable necessity. I trust it will be found the constitution imposes its adoption; the treaty does not touch the case, and that there exists no necessity to extend slavery in any future admission of states. There is no ground on which slavery can be extended in Missouri, that will not apply to the whole region west of the Mississippi. And here what an abyss for reflection opens! Shall we depart from those truths that lighted our fathers to independence and liberty?—and to what end? Surely not for any other but unavoidable necessity. That necessity, I am confident, will not be found to exist; and I therefore hope this fearful policy will not be pursued, of extending, to endless generations, the evils of slavery over the widely spreading territory beyond the Mississippi. I promised you, sir, in the outset to avoid, if possible, a course of observations that might awaken feelings of heat, impatience and unkindness, without necessity. The proposition I advocate is founded too much in truth and reason, to admit the language of crimination and reproach in the discussion of it. As far as human frailty would allow me, I hope I have kept my faith. On a former day my friend from Virginia, (Mr. Barbour) seemed to incline to the opinion that men had degenerated since the formation of our constitution. Prosperity is a trying season to virtue, but still I hope the vigor of our principles will be found unimpaired. In this, as in another jurisdiction, it may be wise to commence the contest with missiles. For the present, I am disposed here to rest the subject.

Mr. ELLIOTT, of Georgia, followed against the restriction—after an exordium as to his unskilfulness “in parliamentary debate,” he said—

“As it is essential to a correct and liberal discussion, that the point at issue be clearly understood and dispassionately examined, all irrelevant matter should be cautiously rejected, and the mind brought to the investigation with its powers unembarrassed. How much to be regretted, then, is the public excitement which has been produced in anticipation of this debate. It is, I fear, not well calculated to insure a decision of this question upon its merits. The voice of the people should be heard, and always heard with deep attention and due respect. But, when feelings are thereby excited which do not belong to the subject under consideration, you are bound, by the strongest obligations of duty, to exclude them from these walls. Here the passions should be suffered to sleep, while to the unbiassed judgment and the enlightened conscience, are committed the decisions which may be recorded in your journals.

“What, then, sir, is the question we are called upon to decide? Does it involve the liberty or slavery of the black population of the United States? On this subject the constitution has wisely interdicted the interference of the general government. Does it seek a suspension of the law prohibiting the unhallowed trade to Africa, until the people of Missouri shall have accommodated themselves with slaves from that unfortunate country? No such sacrifice of feeling or policy is asked at your hands; on the contrary the prayer of the people of Missouri, if granted, would not affect the liberty of a single freeman. Neither of these subjects being before

the senate, the arguments and feelings which grow out of them are alike foreign to the present discussion. But the people of Missouri do ask of you to fulfil your solemn engagements in their behalf, and to admit them into the union “according to the principles of the federal constitution, to the enjoyment of all the rights, advantages and immunities of citizens of the United States.” The question then is, will you thus admit them?”

[He then took up the 3rd section of the 4th article of the constitution, saying “new states may be admitted by congress into the union,” and the subsequent section, in which it is declared “the United States shall guarantee to every state in this union a republican form of government.” He referred also to the 2d section of the 4th article, which says—“the citizens of each state shall be entitled to all the privileges and immunities of citizens of the several states,” and argued upon those points. He next went on to prove that “migration and importation” were not synonymous—that the first belonged to choice, the other was of necessity—that the latter referred only to slaves, as the duty that might be laid upon persons imported proved. That congress had never interfered to prevent the transfer of slaves from one state to another. The treaty of cession was referred to—the people were to be incorporated into the union according to the principles of the constitution. Under the constitution, generally, congress might refuse admission to a new state—but here was pledged to do it; and Missouri should be admitted without any restriction not imposed on the old states. He said that a part of the acquired territory had been admitted unconditionally, and on a footing with the original states.]

“It is evident, then, (said Mr. Elliott) before the last session of congress, the general government never believed itself possessed of any authority to interfere with involuntary servitude within the territory acquired by the treaty of the 30th April, 1803. And no competent authority I really believe, can be produced for such interference at this time. Sound policy, also, Mr. President, forbids the imposition of the contemplated restriction. Slavery was an evil found in this country at the formation of the present government; and it was tolerated because it could not be remedied. And how is it ever to be remedied? Surely not by circumscribing the slave population within narrow limits, and thereby rendering their numbers equal or superior to the free population of the states to which you would confine them. This would be to ensure their perpetual servitude, or their extirpation by the sword. The color of this people must forever prevent their amalgamation into the common mass of the population by intermarriage, and their numbers, in such a state of society, would threaten an influence in a political point of view, which would always prevent their emancipation. As to the idea of their being removed from this country, and settled as a colony in some other, I fear it is too visionary for practical men to rely on. While we accord to the benevolent society formed for this purpose, the most pure and exalted motives, is it at all probable their means will ever be adequate to the end they have in view? But disperse this people, who would be so formidable when confined to narrow limits; suffer them to spread over an extensive country, and they would be lost amidst the great body of the white population which would surround them on every side. In this situation, they might be gradually emancipated, without endangering the safety of state governments; and when emancipated they could be supported on hire, at voluntary servi-

NILES' WEEKLY REGISTER.

NEW SERIES. No. 24—Vol. V.] BALTIMORE, FEB'Y 12, 1820. [No. 24—Vol. XVII. Whole No. 440

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

¶ An extra half sheet, as supplementary to the last number, accompanies the present. We have commenced the debate in the senate on the *Missouri question*, and shall continue it so as to give a pretty full view of all that was said thereon in that body—leaving out of the speeches not published entire, the points of argument necessarily discussed in those which, for especial reasons, we shall think it most agreeable to our readers to have inserted at length.

[*Debate—continued from the supplement.*]

tude, without greatly lessening the productive labor of the country. But should they never be emancipated, it is unquestionably the duty of those who hold them in bondage, and of the nation which tolerates the act, to unite in the adoption of such measures as shall meliorate their condition, and render their servitude not more burdensome than that of the laboring class of any other section of the nation. The comforts and privileges of this people, being generally in an inverse ratio to the numbers placed on any one plantation, the wider their dispersion, the greater will be their comforts, and the less burdensome their servitude. If the voice of humanity, then, is to decide this question, it will be found against the restriction, as cutting off the only hope of eventual emancipation, while it lessens the comforts and increases the labors of the servitude which it renders inevitable.

But, sir, there is yet another view in which this restriction is condemned by the soundest policy. The union of these states is the foundation of our individual happiness and national prosperity. Whatever has a tendency, however remotely, to put at hazard this inestimable blessing, should excite our warmest opposition. But the strength of this union must depend upon the sameness of the political institutions, and the equality of the rights which are secured to the states that compose it. No confederation can long outlive the occasion which gave birth to it, unless it is the interest of all the parts to continue united. The Roman and Grecian confederacies, formed for external defence, were powerful for that purpose, while the causes which produced them were in operation. But no sooner was the outward pressure withdrawn, by which, like a spell, their component parts had been bound together, than the discordancy of their political materials with which they were composed, began to appear; and they became the unhappy victims of disunion and civil war!"

He then argued on the importance of an equality of state rights, and endeavored to shew the consequences that must flow from a denial of them, and concluded as follows:

"Impose this restriction, sir, and it will lead to others. Every interest in the nation, when it shall become strong enough to pursue its favorite object, will plead this as a precedent, and, in the exercise of the power it may have acquired, will not hesitate to exact such further conditions from the new states, as shall suit its purpose—until the states, hereafter to be admitted, will not be so much distinguished by the dates of their admission, as the inequality of the rights which they may be permitted to enjoy under the confederation. Under such a

course of policy, I do not say the union must inevitably be dissolved. But I must be permitted to say, any union which can subsist under such circumstances, will be scarcely worthy maintaining. The contemplated restriction, then, sir, is, in my humble view of the question, unauthorised by the constitution; is in contravention of the provisions of a solemn treaty; and opposed by the suggestions of sound policy.

[Mr. MORRILL, of New Hampshire, succeeded in favor of the motion in a speech of much length—occupying more than seven of the heavy columns of the National Intelligencer—a part of his exordium was as follows:]

"Mr. President, when I cast my eye over this widely extended empire, and behold it still extending; I enquire with deep solicitude, and inexpressible anxiety, what will be the situation of my beloved country, a century, or half a century to come? Will this growing republic rise like the cedar of Lebanon, and flourish like the palm tree?—Will its extensive branches and fragrant leaves cheer and heal the innumerable inhabitants of this immense domain? Will its civil and religious liberties be preserved? Will its intellectual and moral improvements progress and keep pace with its rapid population, and increasing wealth? Sir, history furnishes us no fact on which we can found this hope. Republics have risen and fallen—empires have been shaken, and kingdoms demolished. But, sir, for my country, I would ardently desire a better fate—that she may convey to posterity her inestimable blessings, and thereby outlive the convulsions of nations.

Mr. President, this may be the case; but to insure it, our government must be wisely administered—our liberties and morals preserved from contamination, and the principles of the original compact, "the palladium of our rights," kept sacred and entire. This will cement the bonds of affection, sustain the union, and give that energy to the government that the combined power and influence of the world will be unable to impair. But, sir, violate these, and this political fabric is racked to its centre. As an honorable gentleman intimated, it may occasion a tremor in the west, agitation in the east, and convulsion in the centre, and chaos through the whole.

Watch them with *caution and vigilance*, as this growing republic rises as the cedar, and soars as the eagle.

Sir, we are as liberal and as accommodating as any people on earth; and we are as tenacious of our rights. We know how we obtained them, and we know how to preserve them.

Mr. President, our forefathers quit the land of their nativity, the air which gave them birth, the associates of their youth, that they might enjoy civil and religious liberty. These were more precious than the possession of wealth, and the society of friends in a land of intolerance. They ploughed the mighty deep, they endured fatigue and danger, and planted themselves on the inhospitable shores of a savage land, and there they erected the standard of liberty. They were republicans in heart, pious in their profession, and virtuous in their practice. But they were not beyond the reach of op-

pression; the strong arm of power was extended across the Atlantic. They felt their weakness and dependence; they saw the hand which had been extended for their preservation and safety; they implored a divine benediction. Sir, the cause of this country was the cause of liberty, of truth, and of righteousness. A kind Providence interposed, and we were strangely rescued from the iron grasp of an unrelenting foe.

Omnipotent was the power, and marvellous was the deliverance.

Mr. President, independence was the high destiny of America; it was the decree of the Holy one; its banner was unfurled, its enjoyments anticipated; liberty and equality had "free course," and a constitution, the admiration of the world, the dread of tyrants, and the boast of freemen, grew out of the mighty conflict. This, sir, is the instrument which I have sworn to support; the polar star to direct my legislative course. Let no unhallowed touch profane the sacred ark of your liberties: preserve it inviolate, and its light, like the fiery pillar of captive Israel, will conduct you safely through all the toils and perils of your political journey, cheer the desert of your western country, and cause the hearts of millions to rejoice. Sir, this is the standard around which we rally. Guard it with watchfulness, and you are safe; violate, or pervert it, and a train of evils, too dreadful to imagine will be the probable result. Sir, do you demand proof of our patriotism, and attachment to our constitution and country? we point you to Bunker Hill, Bennington, Trenton, Princeton, and Moulmouth. We have met the power that spurned us, we took our lives in our hands, and faced the foe that bid us defiance. This was the day that tried men's souls. We have lavished our strength, our treasure, and our blood, in the first and second war, to sustain, triumphant, the ark of American liberty. In the name then of our constitution, and your plighted faith, with confidence bordering on certainty, we approach an enlightened, liberal and magnanimous legislature, and only ask the protection and preservation of our guaranteed privileges. We do not mean, sir, in the attitude of humble suppliants, to implore a favor for which we have no just claim; but to remind you of your solemn compact; our mutual agreement. Sir, are pledges of our sincerity and integrity required? we present you the best securities of which a republic can boast—faith never violated, hearts never corrupted, valor never surpassed, and affections cemented to the government by ties of reciprocal advantage.

Mr. President, I have arrived at a point which I lament I am compelled to disclose. It is my deliberate opinion that the uncontrolled extension of involuntary servitude, will tend to impair all those virtuous qualities that I have named, which I deem the stamina, nerve, muscle, and hope of the nation. Alienation of affection, and discord are the ruin of a country. "United we stand—divided we fall."

[He then quoted the several parts of the constitution and laws referring to the question before the senate—alluded powerfully to the fact that the word "slaves" was not mentioned in the constitution—proved that every state admitted into the union from the time that Vermont was received, had been admitted with some specific conditions and restrictions. With respect to Louisiana, he said, these conditions and restrictions—"contained some principles as repugnant to the original jurisprudence of the territory, at the time of its cession, as could

well be devised. And if congress did possess and exercise the power of imposing such conditions, what good reason can be assigned, why it may not require of Missouri, the condition proposed by the amendment now under discussion?"

[Towards the close of his speech—he introduced a variety of statistical facts to prove that the existence of slavery retarded the progress of population and the march of power. He compared New England with Virginia, of about the same extent, as to square miles, and settled at about the same time. The following abstract may shew the chief things he referred to.

	New England.	Virginia.
Militia	140,900	83,847
Valuation (1793)	183,171,180	71,225,127
Persons	1,471,973	974,622 slaves inc.
Value of manufactures	36,074,171	11,447,605

He said "to demonstrate the fact more clearly, that slavery impedes the progress of a white population, I will observe, that in New England the increase in 20 years, is as 17 to 18. Include New York, New Jersey, Pennsylvania, and Delaware, and it is as 99 to 100. In the slave holding states the increase of the free population, in the same period, is only as 12 to 21. Had the latter states increased in the same ratio as the former, during the same time, there would have been an addition to the white population of 800,000, and according to the same ratio, at this time, 1,200,000 more than there now are.

"The free white persons, from 1790 to 1800, increased almost 36 1-3 per cent.; from 1800 to 1810, 36 per cent., and from 1790 to 1810, 85 1-2 per cent." All other free persons, except Indians not taxed, from 1790 to 1810, the increase was still greater, in consequence of emancipation and runaway slaves, who pass for freemen.

The free population from 1790 to 1800, increased 37 1-5 per cent.; from 1800 to 1810, 36 3-4 per cent.; and from 1790 to 1810, 87 3-5 per cent. The slave population, from 1790 to 1800, increased 24 4-5 per cent.; from 1800, to 1810, 35 4-5 per cent.; and from 1790 to 1810, 70 3-4 per cent. The combined free and slave population from 1790 to 1800, increased 55 3-5 per cent.; from 1800 to 1810, 36 per cent.; and from 1790 to 1810, 84 3-5 per cent." Thus, to take the whole free white inhabitants together, the increase, is rather in favor of the white population. In 1790, considerably more than one-fifth of the whole population were slaves; in 1800, a little more than one-fifth, and in 1810, a little less than one-fifth were slaves."

[He spoke also of the unequal representation caused by the slave population—he was for supporting it, in regard to the original territories, but would not extend it any further. There was space enough yet wherein slavery was tolerated—he spoke of the progress of population in Ohio, and, after alluding to various laws, &c. and making an extract from Jefferson's notes on Virginia, concluded with saying—

Mr. President, without any sinister motives, hope of personal advantage, or any thing aside from the expanding glory of the beloved country which gave me birth—as a citizen of a growing republic, whose rising prosperity is nearly allied to my heart; as a philanthropist and a Christian; as one called upon by my constituents, my country, and my God, I present you these my deliberate views of this momentous subject, with a solicitude for the result which could not be inspired on any ordinary occasion."

[Mr. WALKER, of Georgia, next took the floor, and delivered a long speech; after some excellent introductory remarks, he said]—

"I will proceed to an examination of the more important arguments of honorable gentlemen, founded upon the celebrated ordinance of 1787, the constitution of the United States, and the treaty of cession. And I flatter myself, I shall be able to establish, as far as negative proof can possibly extend, that from neither of these fruitful sources, can be derived the authority to impose the contemplated restriction upon the good people of Missouri.

In the investigation of this subject, therefore, I propose to shew—that the amendment offered by the honorable gentleman from Pennsylvania is unauthorized by the ordinance of '87: that it is unauthorized by the constitution: and, that it is expressly forbid by the terms of the treaty by which the territory in question has been acquired.

The elucidation of this subject must necessarily be somewhat dry and uninteresting: for in the development of constitutional principles, we are not permitted to wander in the wide fields of rhetoric, to gather flowers wherewith to decorate our path.

I will, in the first place, call the attention of the senate to the ordinance of '87, which has been so emphatically stiled, by the honorable gentleman from Pennsylvania, the immortal ordinance.

A brief history of the circumstances which led to, and were attendant upon, the passage and adoption of this ordinance, will, I trust, justify the opinion I have formed, that it is an instrument not entitled to the high commendation which has been bestowed upon it.

In the year 1780, congress recommended to the states having claims to waste and unappropriated lands in the western country, a liberal cession to the United States of a portion of their respective claims, for the common benefit; the territory to be thus ceded, to be formed into distinct republican states, having the same rights of sovereignty, freedom, and independence, with other states.

In 1781 the state of New York limited and defined her western boundary, and ceded and relinquished to such states as then were, or should thereafter become parties to the articles of confederation, all her right, title, and claim to lands and territories to the northward and westward of the boundary thus limited and defined.

In 1784 Virginia ceded to the United States her claim to the territory north-west of the river Ohio.

In 1785 Massachusetts ceded and relinquished all claim to the territory within her charter, west of a particular line mentioned in her deed of cession.

In 1786, Connecticut ceded her claim to the territory called the Western Reserve.

It must be remarked, Mr. President, that not one of these deeds of cession contained a proviso or condition that slavery should be inhibited in the territory thus transferred to the U. States.

The praise, therefore, which the honorable gentleman from Pennsylvania, bestowed upon Virginia for her philanthropy in interdicting slavery in the territory northwest of the river Ohio, was altogether undeserved.

1787 congress passed the celebrated ordinance about which so much has been said. This ordinance is entitled, "An ordinance for the government of the territory of the United States, north-west of the river Ohio;" and, among other things, ordains and declares certain articles of compact between the original states, and the people and states of the said territory, are forever to remain unalterable, except by common consent. The sixth of which

articles of compact declares, "That there shall be neither slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crimes." In 1788 Virginia ratified the 5th of these articles of compact contained in the ordinance of '87; but said nothing about any of the other articles.

In August, 1789, the form of government having been altered, and the articles of confederation having been exchanged for our present constitution, congress passed a law, adapting the ordinance of '87 to the new government.

Having thus, sir, in a very cursory manner, adverted to the different deeds of cession, and the acts of congress, in relation to the territory so ceded, I will proceed, in a still more cursory manner, to state some of the reasons which have produced a conviction upon my mind, that the 6th section of this immortal ordinance, upon which the gentleman from Pennsylvania relies as his authority to impose the contemplated restriction upon the state of Missouri, cannot, and will not, support the mighty fabric which has been attempted to be reared upon it. I contend that the 6th section was unauthorized by the deeds of cession by which congress acquired the territory, for the government of which the ordinance was passed; these deeds having embraced no condition or stipulation to that effect, and not having transferred to congress any power for that purpose.

It was unauthorized by the articles of confederation, no power to pass any such restriction having been delegated to congress by that instrument: and all powers not expressly delegated, being retained to the people. The passing of this restriction, therefore, was in derogation of the rights of the people so retained. But, by way of rendering this part of the ordinance more acceptable, it has been called a compact and agreement. A strange compact and agreement, indeed! I had always supposed that it required at least two parties to enter into a compact or agreement. But in the instance under consideration, there seems to have been but one party. It was a compact and agreement made between congress and themselves, no other party consenting, or being even consulted in relation to the subject matter of this important restriction; a restriction made without authority, and one violatory of the equal rights of the people of this country."

"I cannot but remark, sir, to what lengths arguments might be carried, predicated upon the supposition of the existence of the power, on the part of congress, to impose conditions and restrictions.

If you have the authority to impose the one now sought to be imposed, may you not impose any other? If you have a right to inhibit the introduction of slaves into the new state, you have a right to inhibit the introduction of any other species of property. And you may go a step further, and prescribe the manner in which the soil shall be cultivated. In fine, there is no restriction or condition whatever, which may not, with equal propriety, be imposed.

Have honorable gentlemen reflected, that, if we have a right to inhibit slavery, by a parity of reasoning, we have a right to impose it. How would the good people of the district of Maine, who are now applying for admission into the union as an independent state, feel, if congress were to make it a condition of their admission, that slavery should be there tolerated, and persons migrating thither might carry with them their slaves, and exercise all the acts of ownership over them, which they were wont to do in the state from whence they migrated?

I imagine, sir, that the people of Maine would begin to enquire from whence congress derived the power to impose such a condition. They would be desirous of knowing, sir, from what article or section of the constitution, congress derived the power to interfere with the internal affairs and police of their state. And I much question, sir, whether we could take shelter under the wings of the constitution, from the imputation which would be cast upon us, of an assumption of unauthorised power."

[The treaty of cession was next alluded to, and the proceedings under it examined; and Mr. Walker said:]—

"But, admitting, sir, that we possessed the right to impose the restriction now sought to be imposed upon Missouri, would it comport with the magnanimity of congress to impose it? And is not the policy of doing so at least questionable? I would ask, sir, who are to be benefitted by it? The free people of Missouri. They tell you that you mistake their true interest, if you suppose you are doing them a service by this means. It is for the benefit of the free population of the slave holding states? They beg you not to be concerned on that account, they do not consider such restriction at all necessary, nor can they perceive that their happiness will be promoted by such a measure. 'Tis the slaves, then whose condition is to be ameliorated by the imposition of such restriction. The principles of humanity and benevolence are to be promoted by the measure. Are we certain of this? Will the confinement of the slaves within circumscribed and narrow limits have a tendency to increase their comforts and promote their happiness? Is not the experiment a doubtful and somewhat dangerous one? May we not deteriorate the condition of the *whites* in a greater degree than we shall ameliorate that of the *blacks*? I presume, sir, the greatest philanthropist among us would, at least, doubt upon the subject. A question then, of such doubtful policy ought to be abandoned. I am at a loss even to conjecture what difference it can make on the score of humanity and benevolence, whether the same person is held to service in Georgia or Missouri. It is not contemplated by those who oppose the amendment on your table to increase the number of slaves. It is not contemplated to rivet the chains of slavery around the neck of a single individual who is now free, or to bring any slaves into this country from foreign states. They desire, however, that the states should be left free to regulate the intercourse among themselves in relation to this species of property, already among them. I think every principle of policy forbids the interference, on the part of congress, with the internal police of the states. Collisions between the states and the federal government might be productive of the most unhappy consequences—such as no patriot would be willing to see, and which, I am sure, the honorable gentlemen who advocate the proposed amendment would deprecate as much as any other members of this assembly."

Mr. Walker concluded as follows—

Mr. President, unless these men [the people of Missouri] are composed of different materials from what I presume they are, I fear, much do I fear, that the imposition of restrictions, or the refusal to admit them unconditionally into the union, will excite a tempest whose fury will not be easily allayed. It is perhaps wrong to predict or anticipate evil, but he must be badly acquainted with the signs of the times, who does not perceive a storm portending; and callous to all the finer feelings of nature

must he be, who does not dread the bursting of the storm.

Mr. President, I cannot but imagine to myself intestine feuds, civil wars, and all the black catalogue of evils consequent upon such a state of things. I behold the father armed against the son, and the son against the father.—I perceive a brother's sword crimsoned with a brother's blood. I perceive our houses wrapt in flames, and our wives and infant children driven from their homes, forced to submit to the pelting of the pitiless storm, with no other shelter but the canopy of heaven, with nothing to sustain them but the cold charity of an unfeeling world. I trust in God, that this creature of the imagination may never be realized. But if congress persist in the determination to impose the restriction contemplated, I fear there is too much cause to apprehend, that consequences fatal to the peace and harmony of this union will be the inevitable result.

[Mr. Mellen, of Massachusetts followed, at considerable length—after proceeding some time he said:]—"We are told, sir, that, in relation to the subject before us, an unusual and alarming degree of excitement exists in the public mind; that the community is in a state of threatening agitation; and we have been repeatedly admonished, and in very intelligible terms too, to extend our view to consequences. Without at present considering those consequences which have been named, permit me, Mr. President, to enquire, "in what this excitement consists?" and what are the proofs of it? I believe there is an opinion on this interesting subject; an opinion deep and strong, and expressed in various places and on various occasions, in emphatic language, but in a manner as calm as it is firm.

Among the friends of the proposed restriction, I have never heard of any other excitement. Surely it does not appear within these walls; nothing can be more cool and dispassionate than our discussion, thus far; no other warmth is displayed than that which is naturally produced by intellectual exertion. Sir, if the agitations of the community could be heard from our windows, they ought not to disturb the calm of this hallowed hall of legislation, or produce an undue effect upon our deliberations. But, sir, if we look abroad, do we see any thing more than the excitement which I have described? It is true, there is a lamented difference of opinion on this important question—the further extension of slavery. A portion of the community believe that congress have no constitutional authority to interdict this extension of slavery in the new states to be formed west of the Mississippi; and that if they had, it would be unwise and unjust to exercise the authority. Another portion of the community firmly believe that congress do possess this authority, and that they are under the obligations of duty to exercise it; and that its exercise would produce lasting and extensive blessings. This opinion, I have before observed, is deep and strong; but the only proof of it is contained in arguments and statements which have issued from the press, or in the language of respectful resolutions or memorials, which have been transmitted to us for our consideration, expressive of the opinions of legislatures or large and respectable bodies of our fellow-citizens. If any other proof of unusual and alarming excitement can be found, it is not among those who advocate the proposed amendment. Why, then, Mr. President, is the question to be prejudiced by allusions to circumstances which have no existence but in imagination; and why should there be an attempt to divert us from our object, by these collateral considerations? But, sir, we have been a-

gain and again cautioned, in the language of terrifying prophecy, to pause and consider before it may be too late. We are told, that if the friends of the amendment should obtain their object, and succeed in excluding slavery from Missouri, and in maintaining a principle that will exclude it from the extensive territory beyond the Mississippi, sectional jealousies and animosities will be the immediate consequence; the harmony of our great and happy family will be destroyed:—commotion and civil war may next present their horrors, and a dissolution of the union may be the fatal result. This, to be sure, is a dreadful catalogue of evils; the prospect is dark and melancholy. But, Mr. President, I believe better things of my fellow-citizens. I have better hopes and brighter views: the bands which unite us are not so easily to be broken; we are a great, prosperous and happy people: heaven has showered upon us ten thousand blessings, which demand our grateful acknowledgments. We are becoming more assimilated as our intercourse increases: our social attachments are daily strengthened as our commercial connections are multiplied. And shall all these blessings be put in jeopardy, or destroyed; and all these hopes and promises of our country be thrown away, because congress may feel it their duty to cherish the spirit of liberty in its best estate, in Missouri, and exclude from thence a principle which would impair her health and beauty? No, sir, I can never dream of such consequences as these, in this land of good feeling and good sense. We must decide the question before us, one way or the other, as our sense of duty may direct; and it is to be presumed that, in this case as well as in all others, our habitual respect for the laws and the principles by which our rights are secured, will lead all to a ready acquiescence in the decision which may be made. On this occasion, we cannot pursue a safer course than to act under the influence and guidance of that excellent rule—“Do right and let heaven answer for the rest.”

[Referring to that part of the constitution which grants the power to congress to regulate “importation and migration”—he observed] “There seems to be nothing equivocal in the meaning of the term ‘importation.’ To the honor of the U. States, congress, as soon as their authority commenced, proceeded to enact laws to prevent this importation. But, it is urged, that the word ‘migration,’ is either synonymous with ‘importation,’ or else that it was used by the framers of the constitution to mean the introduction of slaves, by land, from the territories belonging to a foreign power. Without attempting to be over-critical, I consider the term ‘migration’ to signify a removal from place to place; but it is not readily perceived by what authority such removal must necessarily be from a place in a foreign territory to a place in the United States. In the connection in which it stands, it seems to indicate a removal from one state to another: because mention is made of the consent of the state to which such migration is intended. Another reason for this construction, is derived from this consideration, viz. that the word ‘importation’ is appropriate to an introduction by land as well as by water; this will appear evident, by a recurrence to several acts of congress passed during the continuance of our restrictive system, prohibiting importation of English merchandize. It would seem, therefore, that congress are at liberty to prevent the migration of slaves, by virtue of the two clauses of the constitution before recited, into Missouri, whether as a territory or a state. To shew that this conclusion is not drawn without authority, I beg leave to refer the Senate to the act of congress establishing a government for the Orleans territory, passed soon

after the cession of Louisiana. In this act we have a legislative construction of the word ‘migration,’ in that clause of the act which prohibits the introduction of any slaves ‘into the territory, from any place in the United States, except by a citizen removing into the territory for actual settlement, and being, at the time of such removal, the bona fide owner of such slaves.’ Here, in certain circumstances, ‘migration’ is expressly forbidden. And, until very lately, the power of congress to pass such a law, has not been questioned. Still, sir, I place less reliance on the foregoing construction, than on some other provisions of the constitution, which I shall presently examine.”

[On the authority given to Congress to admit new states, Mr. Mellen said]—“But, sir, it is said that the congress have the power to postpone or refuse the admission of a state into the union; yet, when they do admit one they cannot constitutionally annex any condition to such admission. I cannot accede to this proposition: Practice and principle both seem to me to contradict it. Look sir, to the law admitting the state of Louisiana into the union: Several important conditions are inserted in it, to be performed on the part of the state. The trial by jury is secured; the benefit of the habeas corpus; the records of a public nature are required to be kept in the English language; and some other terms of equal importance, which are not now distinctly recollected. And yet until this Missouri question (as by way of eminence it is called,) was agitated, the power of congress to annex the abovementioned conditions was never questioned for a moment. But, sir, let us go further, and look at this very Missouri bill, which has been reported by way of a second section to the Maine bill; why, sir, it is full of propositions, and terms, and conditions; and now, because one more is proposed, we are met with the objection that congress have no power to annex or propose any.

I am not able to understand this inconsistency. Let us look at this objection in another form. Suppose that the present bill should pass without any interdiction of slavery, and at the next session Missouri should come forward with the constitution she had formed, and congress, upon examining the constitution, should refuse to admit the state into the union, because it contained no such interdiction. Now, it is admitted on the other side, that congress may *refuse absolutely*, but it is denied that they can *admit conditionally*.

[He then went on to shew that the act of admission was a compact, and that the parties might make conditions, &c. He noticed the treaty of cession, and argued against the propriety of extending an acknowledged public evil. Congress had interfered to prohibit the slave trade—he wished to act consistently; and concluded as follows:—

“In virtue of the ordinance of 1787, as I before observed, Ohio, Indiana, and Illinois, were admitted into the union, under an interdiction of slavery. Those states are fast rising into importance—peopled by hardy freemen—conscious of their situation, and congratulating themselves in being happily exempted from the operation of a principle which might essentially impair their strength, and diminish their comforts.

I doubt not, sir, that if the people of those states were now to speak to us their opinions and feelings, they would add strength to the arguments which I have been urging. I go further—I have no question that if the proposed amendment should be adopted, and Missouri commence her career of independence, under an inhibition of further slavery, within ten years from this time, her people will rejoice in a retro-

spective view of the dangers they had escaped—and look forward with pride and confidence in the consciousness of their increasing prosperity. Nay, sir, I go further still—I believe that the millions who may hereafter inhabit our western region, extending to the Pacific Ocean, will feel and enjoy the same benign effects in their social and political relations, and that they, and successive generations after them, will rise up and call us blessed.”

[Mr. LEAKE, of Mississippi, after some introductory matter, said]—

“We have been told by some honorable gentlemen, that the power to impose this restriction is derived from the first clause of the 3d section of the 4th article of the constitution of the United States. “New states may be admitted by the congress into this union; &c.” that, as we may admit them, we may also refuse to admit them, unless they will submit to such terms as we may, in the exercise of our discretion, think proper to impose. Sir, said Mr. L. I had always supposed that in the exercise of this power, to “admit new states into this union,” it was only necessary to enquire, first, what are the claims which the people who petition to be thus admitted, have on the congress for such admission? Whether their numbers, their increasing population, and the extent of territory which they inhabit, will justify their admission? If in all these respects you find them duly qualified, and you should deem it expedient to admit them; then the next enquiry is, what is a state within the meaning of the constitution of the United States? I need not tell the senate, said Mr. L. that states in different parts of the world mean different things; we all know that a state, separate and unconnected with any other state, means a sovereign independent power possessing absolute, unconditional, and unlimited authority, and according to the distribution of that power is the character of the state known. If the whole is lodged in a single individual, it is then an absolute despotism; if it be divided into different branches, and the authority divided between them, it is a limited government; and whether it is a limited monarchy, or a republic, will depend upon the duration in office, the mode of coming into office, and the source from whence the power emanates.—And when a number of sovereign states connect themselves together in a confederacy, and by their compact yield to their federal government a portion of their sovereignty, in order that that government may be enabled to protect the confederation, those states then become limited sovereignties, and that portion of sovereign power which each state has a right to exercise, depends upon the powers they have delegated to the federal government by their compact, and upon the restraints which they have submitted to have imposed upon them by it.

Such are these United States, and such must be the condition of the new states which may be “admitted by the congress into this union.”

[He therein alluded to the 10th section of the 1st article of the constitution, in which restraints are imposed on the states—and after going through, them observed,]

“Thus we see that although the states in this union have yielded up a great and very important portion of their sovereignty, yet they have not yielded up the right to make their own local and municipal regulations, and they still possess the right to regulate their own property as well as that of their own citizens; for, by the 10th article of the amendments of the constitution, it is provided that “the powers not delegated to the United States by

the constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.”

[He next alluded to the treaty of cession, spoke of the words “importation and migration,” as used in the constitution, &c. He admitted that the bill before the senate contained restrictions, but said they were constitutional—that what was proposed was not warranted by it—he concluded by saying:]

“It could easily be shown that none of the states heretofore admitted into this union have been restricted, with respect to slavery; that that subject had been decided by the majorities of the conventions of those states; and that the constitutions of the states which have already been admitted, are, in many important respects, totally inconsistent with the ordinance of 1787; but I shall content myself by leaving that subject to others.”

[Mr. LOWME, of Pennsylvania, succeeded (on the 20th of Jan.) and observed] “that so much had been said, and so much had been written, on this subject, it was extremely difficult to say any thing further, that would have any claim to originality; that it was almost impossible to support an argument on either side, without repeating some things which had already been said. This he would endeavor to avoid, and, as the senate must be, in some measure, weary of the debate, he would treat the question with all the brevity of which he was capable.

In this discussion, it is impossible not to advert to the following maxims, which may properly be called first principles:

“We hold these truths to be self-evident, that all men are created equal; that they are endowed by their creator with certain unalienable rights; that amongst these are, life, liberty, and the pursuit of happiness.”

“He that made the world, and all things therein, hath made of one blood all the nations of man.”

There is no excuse for hereditary slavery, except self-preservation—beyond this it dwindles into mere force.

It is not among the natural rights of man to enslave his fellow man.

Slavery is of such a nature, it must take its rise from positive law.

These principles, as abstract truths, are not generally denied. How far they have a bearing on this subject, is a question I will not, said Mr. L. at this moment, take up. I now merely bring them into view; I will advert to them in another part of this argument.

The first question which meets us at the threshold is—have congress the right to propose to the state of Missouri the restriction contained in the amendment? Before disposing of this enquiry, permit me to say a word on state sovereignties. I, for one, Mr. President, cherish the idea, believing that our political salvation depends upon it; that a consolidation of this extended empire must end in the worst kind of despotism.

The people of the United States, in forming a government for themselves, established a complex system. The government of the union flows as directly from the people, as does the government of any of the states. The circumstance that the delegates who formed the present constitution, were appointed by the state legislatures, does not detract from this idea; because the instrument was afterwards submitted to the people, and had it not been approved by them, it would have had no more authority than the sweeping of your floor. The government of the United States, though limited in

its powers, is supreme within the proper sphere of its action. The respective governments of the U. States and of the several states are sovereigns within their proper spheres, and no further. Hence it follows, also, that the right to admit new states, being within the sphere of the general government, is a right which, to that government, is perfect. Every gentleman who hears me, knows that these are not new principles; that they have been laid down and acted on by some of our ablest and wisest statesmen.

In the constitution it is provided that, "the migration or importation of such persons as any of the states now existing, shall think proper to admit, shall not be prohibited by the congress prior to the year 1808, but a tax," &c. In this debate it seems generally to be admitted, by gentlemen on the opposite side, that these two words are not synonymous; but what their meaning is, they are not so well agreed. One gentleman tells us, it was intended to prevent slaves from being brought in by land; another gentleman says, it was intended to restrain congress from interfering with emigration from Europe.

These constructions cannot both be right. The gentlemen who have preceded me on the same side have advanced a number of pertinent arguments to settle the proper meaning of these words. I, sir, shall not repeat them. Indeed, to me, there is nothing more dry or uninteresting, than discussion to explain the meaning of single words. In the present case, I will only refer to the authority of Mr. Madison and judge Wilson, who were both members of the convention, and who gave their construction to these words, long before this question was agitated. Mr. Madison observes, that to say this clause was intended to prevent emigration, does not deserve answer. And judge Wilson says, expressly, it was intended to place the new states under the control of congress, as to the introduction of slaves. The opinion of the latter gentleman is entitled to peculiar weight. After the convention had labored for weeks on the subject of representation and direct taxes—when those great men were like to separate without obtaining their object, judge Wilson submitted the provision on this subject, which now stands as a part of your constitution. Sir, there was no man, from any part of the nation, who understood the system of our government better than him; not even excepting in Virginia, from whence, the gentleman from Georgia (Mr. Walker) tells us, we have all our great men. But, sir, for all the purposes of my argument, I consider this provision of the constitution as an outpost; and, as I do not intend to rely upon it gentlemen may have it as a free gift.

"Vermont was not like any of the other states. Her history is briefly this:—The territory was claimed both by New York and New Hampshire. In 1761—2, New Hampshire granted 138 townships west of the Connecticut river. New York became alarmed at this proceeding, applied for the territory to the British government, and obtained a decision in her favor. She then endeavored to dispossess the settlers who claimed under the New Hampshire grants. But her authority was resisted on the part of Vermont, and for twenty-six years this new state maintained her ground. In this contest, the old congress pursued an undecided course. In the mean time, Vermont declared itself independent and so continued till the year 1789, when commissioners were appointed by this state and by New York, who finally agreed, that Vermont should be admitted into the union on two conditions: the one

related to her boundaries, and the other required the payment of \$30,000 to New York within four years from that period.

[He then next considered the expediency of the restriction, and said,] "It has not been pretended, it cannot be pretended, that the toleration of slavery is necessary for the self preservation of the people of Missouri. This being the case, the first principles I have already brought into view bear with their undivided weight upon the question. Then gentlemen tell us that slavery is an evil—on this floor they have lamented its existence; and yet, strange as it may seem, they, almost in the same breath, contend for the expediency of extending this evil to the peaceful region west of the Mississippi!"

[After which he proceeded to elucidate the principle, that population always presses upon production, to shew that by extending the range in which slavery might be allowed, the number of slaves would be increased—that where there was a market for slaves, slaves would be introduced, &c. He concluded as follows:]

"I will not, sir, said Mr. L. pursue the argument on this subject any further; but, before I sit down, permit me to advert to some expressions which have fallen from gentlemen in this debate. The gentleman from Virginia, (Mr. Barbour,) the other day told us, that this subject would be an ignited spark, which, communicated to an immense mass of combustion, will produce an explosion that will shake this union to its centre. The gentleman from Georgia (Mr. Walker,) tells us, that he thinks he hears the thunders roll, he sees the father arrayed against the son, and the brother drawing the bloody sword from the bosom of the brother! Mr. President, I will not now detain the senate, by enquiring in which of the states these combustible materials are, or by pointing out the field on which the battle will be fought. Before that bill leaves your table, if no other gentleman takes up this part of the subject, I may perhaps take the liberty of looking at it a little more in detail; not, sir, as a member from Pennsylvania, but as one of the representatives of the United States. At present, however, I will only observe, that I also believe with those gentlemen, that we are drawing towards a very serious crisis; to save us from which, all the wisdom of the present congress, as well as the blessing of the Almighty, will be necessary. But, sir, if the alternative be, as the gentlemen thus broadly intimate, a dissolution of this union, or the extension of slavery over this whole western country; I, for one, will choose the former. I do not say this lightly; I am aware that the idea is a dreadful one. The choice is a dreadful one. Either side of the alternative fills my mind with horror. I have not however, yet despaired of the republic. And, unless the melancholy result convinces me to the contrary, I must still believe, that we are able to dispose of this distracting question, so as to satisfy the reasonable expectations of the people of the U. States."

AN OFFERING OF THANKS. The late unprecedented increase made to the subscription list of the REGISTER, well deserves a grateful expression of the thanks of its editor, and he will do all that he can to deserve it. A belief may now be expressed that this paper is more extensively read than any other printed in the United States, and copies of it find their way to most parts of the world in which our language is known. A fearful responsibility is hence incurred, and a devout wish excited to bring to his aid the classic lore of a Dickinson, the nerv-

ous language of a *Paine*, the elegant simplicity of a *Madison*—but “the will must be taken for the deed,” and he must get along with his own homely style and mechanical manner as well as he can—for such aids are not to be expected.

Two numbers more will complete the present volume; and, as it is always proper to begin at the commencement of one, a prospectus will be enclosed in the next number, that those zealous to encourage the further circulation of the REGISTER may have an opportunity to do so, and enable the editor, during the session of congress or at other times when there is a pressure of matter, to indulge the disposition which he has to issue gratuitous supplements. This might be accomplished to a considerable extent now, if the difficulties and delays of recovering his dues were less—but none except a printer can know the “miserics” of a printer, in a time like the present.

A very important fact. We find the following creeping through the newspapers, as though it was an unimportant affair, and without knowing the authority from whence it is derived—

“Out of 32,000 packages of dry goods imported last year into New York, only 8000 were owned by American houses.”

Out of seeming evil good cometh—The following is an extract from a letter addressed to me by a gentleman of great respectability in North Carolina; for which I beg leave to thank him, on account of the knowledge of useful facts that it enables me to convey to my readers—for myself, feeling fully justified that in the paragraph quoted, I did not intend to convey any thing more than the idea that an individual member of the legislature of that state held such and such opinions—because with us, as I understand the matter, the presentation of a bill, without its being said that “leave was granted,” or as from a committee raised for the purpose, has nothing to do with the character of the body to whom it was presented, further than it may be implicated by the conduct or opinions of the person presenting it; and it is probable that the reason *why* it was not said Mr. Jeffreys’ bill was rejected, must have been on account of the singular fact in the legislation of North Carolina which is stated, to wit—that a bill presented in *one* house, passes into the *other* to be thereacted upon, without remark in the house in which it originates. This practice, if my informant is correct, is *unique*, I believe—at least, I never heard of any thing like it before.

It is pleasing however, to learn that the senate *unanimously* rejected the bill, and that the people of North Carolina would “abhor such a law.” I have only to add, that several gentlemen of the highest standing in this state honor me with their correspondence, and there is no quarter from whence I receive letters more congenial to my own opinions of things, or with which I am more flattered. One of these, indeed, has been pleased to call me the “friend of North Carolina,” and to say, that I had done more than any other person to give a fair representation of her character to the people of the United States. The latter may be the fact—simply because I have for many years endeavored to regard every section of the republic as my country.

Extract. “In your Register, No. 20, Vol. V. you have,—“*North Carolina*.—In the journal of the proceedings of the legislature of North Carolina, now sitting, is the following:

“Mr. Jeffreys presented a bill to *prevent persons teaching slaves to read and write*—the use of figures excepted. Read the first time and sent to the senate.”

“In this you give the truth, but not the whole truth, and you are well aware, Mr. Niles, how prejudicial it may prove to a state or a people, to tell the truth partially on them, or to tell a story in part and not give the whole of it.

“The truth is, such a bill as above stated was presented by said Jeffreys in the house of commons, and there read, and after the first reading, which is never objected to in the house where the bill originates, it was sent to the senate. But mark the result there: it was rejected in the senate *unanimously* on its first reading.

“As it is stated in the Register, it may be inferred that it had the approbation of the citizens of North Carolina; whereas it is quite to the contrary. The citizens of this state in general, would abhor such a law, and there is perhaps not one in a thousand that approve of it. Enquiry is made after the members who were in favor of the plan, and they will surely be left out of the next legislature.”

VIRGINIA RESOLUTIONS—*et cetera*. The preamble and resolutions, inserted as the act of the house of delegates of Virginia in page 343, which were inadvertently considered as an act of the legislature, in an editorial article of the 29th ult. being presented to the senate of that state, were laid aside and a substitute for them introduced, which, after various modifications, has passed both houses and is the act of Virginia.

The argument which precedes the resolutions occupies nearly six columns and an half of the “Enquirer;” and, if we had not promised to give up much room to the debate in congress on the “Missouri question,” it is probable that this paper would have been promptly inserted by us. It is creditable to the talents even of Virginia, and its *manner* is such as to command the respect of all who desire to ascertain truth—the reverse of the resolutions that passed the house of delegates, which were reprehended by every considerate man in the United States. The report concludes as follows:

“Entertaining these views of the obligation of the treaty, the principles of the constitution, and the character of the proposed measure,—believing that the adoption of this measure would be an act of oppression to the people of Missouri, a breach of public faith, and a dangerous infraction of the constitution,—believing moreover, that it is eminently calculated to blow the angriest passions, to excite bitterness, jealousy and distrust among the states, to extinguish that spirit of concession, and destroy that mutual forbearance and fraternal affection, which founded and have sustained our confederacy—sincerely attached to the union of these states, and the constitution which binds them together,—and anxious to avert the evils which threaten,—the general assembly has felt itself imperiously called upon to avow its opinions and endeavor to give them effect. Therefore,

Resolved, That in the opinion of the general assembly of Virginia, the people of Missouri have a right to demand, upon the faith of the treaty of 1803, that they shall be admitted into the union, upon terms of equality with the other states.

That the congress of the United States have no right to impose upon the people of Missouri, as a condition of their admission into the union, the restriction which has been proposed in congress, or any other restriction, not necessary to guarantee a republican form of government.

Resolved, That the senators from this state in the congress of the United States be instructed, and the representatives requested, to use their best efforts in procuring the admission of the state of Mis-

souri into the union, upon the principles contained in the foregoing resolutions, and in resisting any attempt which shall be made in congress, to impose conditions upon the people of Missouri not warranted by the treaty of cession, and the constitution of the United States.

Resolved, That the governor of this commonwealth be desired to transmit a copy of the foregoing preamble and resolutions to each of the senators and representatives from Virginia and the delegate from Missouri territory in the present congress; and to the governor of each state and territory in the union, with a request that they may be laid before their respective legislatures.

☞ And now a few words about Mr. Ritchie and the manner in which he has introduced this able paper to the public, in the *Enquirer* of the 5th inst.—He says,—

"The following is the result of the deliberations of both branches of the legislature of Virginia" [on the Missouri resolutions]—"Let Mr. Niles, and the secretary of the Hartford Convention, and the correspondents of Mr. Poulson, who have carped and cavilled so much at the resolutions of the house of delegates, as if they were the act of the legislature, take this paper, read the argument carefully, and answer it if they can."

Of what the "secretary of the Hartford convention" has said, or the "correspondents of Mr. Poulson" published, I do not know any thing, for neither of these papers are received at my office—but for myself, thus placed in *advance* to meet the united force and wisdom of Virginia, I may well exclaim "heaven preserve me!" Indeed, Mr. Ritchie, you have put me at a fearful odds!

However, I have taken up *"this paper"* and read the argument carefully, and frankly declare it is the most able one that I have seen on the subject, so far as my humble opinion can serve to give it so high a character—yet I must be excused for expressing a belief that I could "*answer*" several parts of it; and, when so loftily challenged, might be rash enough to attempt it, provided I was not convinced that in the course which I have laid down for my own government, much more will necessarily be published on the subject than one out of fifty of my subscribers will be entirely pleased with—than one in an hundred will read.

But what has this able state paper—this splendid exhibition of the mind and discretion of Virginia, to do with the imprudent act of the house of delegates, and which, it is possible, might have passed the senate also, but for the "carping and cavelling" of some who regarded it in the same light that I did? As to myself, I can sincerely declare that I never wrote an article of its kind so painful to me, as that in which I felt it a duty to reprove the *same spirit* which I had so much and so severely reprovied in the days of the "Hartford Convention;" and which also, I have the vanity to believe that I did with as much *effect* as any other person. And how did I reprove the proceedings in Virginia?—An unintentional wrong was done in considering as the act of that state what was only the act of the house of delegates—but all that I said was in the pure spirit of brotherly love and affection, if I know what such things are—a sacred regard for the eternal principle of right, that a majority should govern—and an apprehension of the danger which must necessarily attend the pledge of a state to "*resist*" the laws of the United States: and all this I must think was done without either "carping or cavelling," and in a *manner* which ought to offend nobody whose good will is worth having.

I really laughed at seeing my name coupled with "the secretary of the Hartford convention." The *originality* of it entitles Mr. Ritchie to a patent for it, and I hope that he will apply to Dr. Thornton for one. But to be serious and dismiss this affair—I cannot but think that when Mr. Ritchie reflects upon the paragraph which I have quoted from his paper, he will be convinced that he greatly *descended* from that proud height which his superior talents and excellent character entitle him to hold in the editorial corps—in which I claim for myself no honor but that of a private, faithful to principle, and determined to endeavor to do what I myself believe to be right.

In medio tutissimus ibis. I have been a good deal diverted with the riotous praise and lawless censure heaped upon Mr. Pinkney, of Maryland, for his late speech in the senate of the United States, on the Missouri question.

One of the former class said—

"I thought of Pitt, Burke, Fox, and Sheridan, of a Mirabeau and Maury, of a Patrick Henry, Ames, King, Randolph, Madison, Dexter, and Wirt, and I thought likewise of Demosthenes, of Cicero, and of the proudest days of Rome; but I felt convinced that the eloquence which once electrified Roman senates, never had surpassed that which sounded in the lofty dome of the American capitol."

Another, referring to the preceding paragraph, thus expressed himself—

"I do not doubt the writer may have thought of all the celebrated orators of modern times, whom he there enumerates; but he must have had recourse to them merely as the means of comparison; as *standards of inferior measure to ascertain the superiority of the great model before him.*"

☞ On the other side, we have a letter as written by a member of congress, in which, after stating that the senate chamber was full of ladies and beaux and congressmen and so forth, huddled together in an undistinguished mass, asks—

"And what prodigious exhibition of profound knowledge and resistless eloquence justified the mighty assemblage? An orator puffed up with vanity, with a disgusting visage and a disagreeable voice. Every sentence an alternate recurrence of vociferation and inaudible whisper. The former part of it your ears assailed most rudely with the hoarse crash of thunder, suddenly subsiding at the close in murmurs scarcely articulated. The most common place arguments were paraded with an air of ranting defiance, as if the orator thought them quite *new, beautiful, and unanswerable.* A coarse allusion, for the benefit of the ladies, to the harem of the grand signior, an exclamation calling on the name of the Supreme Being in a manner shocking even to the profane, without any *real* passion to excuse such for an appeal.—These are some of the outlines, and not the most exceptionable parts of the performance of this favorite of Maryland, so flattered and so spoiled."

And further adds, "I blush for the senate—I blush for congress—I blush for the literary character of my country, when I reflect on the blind adulation which has been bestowed on this disgusting speech."

Mr. Pinkney is, in my humble opinion, a very great orator—but certainly, as little deserves the silly encomiums as the rude censures, given in these extracts. It is rank nonsense to pretend that any man can possess, in himself, *all* the powers of oratory, distributed among twenty of the greatest orators known to history, ancient or modern—the reputation of some of whom will last while books are read, and so long stand as models of eloquence,

—but it is equally absurd to attempt to depreciate Mr. Pinkney in the manner of the preceding, and to believe that the thousands who at different times have listened to him with delight, were absolute dunces. Weighing these paragraphs for and against Mr. Pinkney, with an equal hand, my opinion is,—that each possesses precisely the *same* quantity of *knavery* or *folly*—and that both are equally extravagant and unjust. Mr. Pinkney, however, may well say, in the language of Henry, of France, “heaven defend me from my friends—as to my enemies, I can take care of them myself.”

Island of Cuba.

The following highly interesting facts, politely communicated to the editor of the REGISTER by an intelligent gentleman resident at Havana, may assist in forming an idea of the importance of this island. The greater part of the business of Cuba is transacted at Havana, but there are several other flourishing ports and places that have an extensive trade.

[ABSTRACT.]

Arrivals at Havana during the year 1819—

American vessels	614
Spanish	338
British	148
French	63
Dutch	13
Bremen 8; Swedish 7; Russian 6;	} 39
Danish 5; Sardinian 5; Hamburg 4;	
Portuguese 3; Sicilian 1;	

Total 1215

In these vessels 14,712 slaves were imported; it is estimated that the whole number of slaves imported during the year, which found a market at Havana only, was not less than 20,000—those brought from Matanzas, or across the island from Batabano, not being included the amount first given.

Importation of flour at Havana, for the year 1819.

From	vessels	barrels.
Baltimore	63	51,020
New Orleans	46	17,058
Philadelphia	33	18,551
Charleston	22	3,633
New York	19	5,273
Savannah	10	1,717
Alexandria	5	2,801
Boston	7	389
Newport R. I.	5	415
Bristol	3	165
Norfolk	3	1,801
New Bedford	1	1,556
Providence	1	311
Wilmington Del.	2	646
Portsmouth N. H.	2	149
Portland	1	75
Richmond	1	700
Salem	2	405
Warren R. I.	1	20
Bordeaux	5	3,250
Vera Cruz	7	2,319
Santander	3	4,500
Pensacola	2	213
Mobile	1	52
Cuba	1	250 10,584

Total

117,16

Exports of Havana for the year 1819.

Sugars, 192,743½ boxes—about	770,974 cwt.
Coffee—642,716 arrobas of 25lbs.	
each	about 22,000,000 lbs.*
Wax, 19,373½ Do.	484,337 —
Molasses, 30,845 1-3 hhd.	3,084,500 gals.
Taffia, 2830 pipes	

Revenue collected at Havana.

Whole revenue collected 1819	\$4,609,249 4
Ditto during the year 1818	4,104,666 4
Balance in favor of 1819	\$504,583

Since the preceding was prepared for the press, I have received the following letter. It was not intended to be published *in extenso*—simply designed to give me some hints on the subject to which it refers: but I believe that I cannot do better with it than to give it entire.

To Mr. Niles, editor of the Register.

SIR:—I have just read your remarks in the REGISTER of the 8th Jan. on the communication of the London “Times,” relative to the cession of the Floridas to the United States and consequent necessity of that of Cuba to Great Britain; and admire your reasoning and just conclusions on the subject, both as to the policy this country ought to pursue, and the relative importance of the territory to the commerce of the United States and England, passing through the gulf stream. In speaking of the latter, you omit to mention that England already possesses the eastern side of the passage; all the Bahama islands are claimed by her, and those of most importance inhabited by Englishmen. New-Providence has a good harbor, and many others have anchorages and settlements which are nearly equal to the Floridas in point of convenience and capacity for annoying the commerce which must pass through the gulf, while the United States have no shelter or rendezvous on either side of the narrow passage.

I had long wished to see the subject of our relations with Spain placed in the light in which your remarks have placed them. Being well acquainted with Cuba, permit me, sir, to offer an opinion a little different from your statement (altho’ unimportant to the subject) of the relative number of slaves and free people in that island. It is calculated and believed by the best informed in that country, that the white inhabitants, together with the free blacks and mixtures, are about as numerous as the black slaves, and that the whole population is at least one million. The country has great resources, abounds with cattle and horses, and the yeomanry (which are a numerous and hardy people) are very expert horsemen, and know well the use of the broad sword. Organization and leaders would make them a very efficient force.

The people of all classes are generally friendly, or better disposed towards the United States than to any other nation. I have been acquainted with that country since the year 1793—particularly the city of Havana and the ports and harbors east and west of it. I have visited it frequently since that period, and several times since the late war. The people are sensible of the ambition of the British to possess their country, and have a great aversion to them.

I think it a very odd kind of non-interference

*About one third added, to shew the real amount of exports, on account of the liberal allowance made at the custom house for weights.

In the British government, when the king of Spain was called on to ratify the treaty ceding the Floridas to the United States: they say we have no objection that Cuba be ceded to us at the same time—a condition which, as a merchant and citizen of the United States, I would not wish to see carried into effect. I would much prefer that both the territories should remain in the possession of their present occupants until other times. Should the British statesman see this country in a war with Spain, they would have a fine field to figure in, and open a campaign of intrigue with much delight: they would immediately send a powerful fleet and army to Cuba, to save it from falling into the hands of the Americans, and hold it in safe keeping (as they did the Danish fleet) for their friend and “holy” ally the king of Spain, until he should (in English estimation) be in a situation to receive it! All to be done in a friendly way, and with a strict eye to the “balance of power!”

Navy Estimates for 1820.

Number of officers, petty officers, seamen, &c. for the service of the year 1820.

Number and description of officers and men estimated for:

32 Captains	at \$ 100 per month	
23 Masters commandant	60 do.	
16 Lieutenants commandant	50 do.	
203 Lieutenants	40 do.	
392 Midshipmen	19 do.	
52 Surgeons	50 do.	
53 Surgeons' mates	30 do.	
45 Purser	40 do.	
10 Chaplains	40 do.	
4 Schoolmasters	25 do.	
76 Sailing masters	40 do.	
32 Captains' clerks	25 do.	
47 Masters' mates		
31 Boatswains	161	20 do.
31 Gunners		
31 Carpenters		
21 Sailmakers		
30 Boatswains' mates	92	19 do.
22 Gunners' mates		
27 Carpenters mates		
13 Sailmakers' mates		
88 Quarter gunners	329	18 do.
70 Quarter masters		
34 Yeomen		
18 Coxswains		
35 Stewards		
7 Coopers		
28 Armorers		
15 Masters at arms		
10 Ship's corporals		
24 Cooks		
1388 Able seamen	12 do.	
1370 Ordinary seamen	10 do.	
278 Boys	7 do.	

4550 Total.

12 of the captains are entitled to 15 rations per day, and 20 captains to 7 rations; the masters commandant to 4; the lieutenants commandant to 3; other lieutenants to 2; the midshipmen, surgeons and surgeons' mates, pursers, chaplains, schoolmasters, and sailing masters, to 1 ration each—in all cases, over and beyond the ships' provisions. The amount of which extra rations is drawn for as subsistence.

The amount of the pay and rations for the 4550 officers and seamen is estimated at	\$1,404,507 50
Hospital stores	36,000 00
Repairs of vessels, and articles of equipment	484,000 00
Navy yards, docks, wharves, store keepers, laborers, &c.	150,000 00
Contingencies, transportation, travelling expences, courts martial, &c. &c.	300,000 00
	2,474,507 50

Marine corps.

1 Lieutenant colonel	at \$75 per month
9 Captains	40 do.
24 First lieutenants	30 do.
16 Second lieutenants	25 do.
6 Surgeons	50 do.
73 Sergeants	9 do.
73 Corporals	8 do.
42 Musicians	7 do.
750 Privates	6 do.

Extra pay to adjutant, paymaster, and quartermaster 30 do.

The lieut. col. has 8 rations per day and 8 extra as commandant; the captains 3; the lieutenants 2; the surgeons 2—rated at 20 cents each, except the surgeons' at 25. The non com. officers and privates' ration is rated at 15 cents a shore, and 25 at sea. The annual clothing of a private costs as follows: a suit of clothes \$18 38; cap and plume, &c. 1.75; stock 014; blanket 2,87½, 4 pairs of shoes, each at 1.25.

Public debt and sinking Fund.

Letter from the secretary of the treasury, transmitting (pursuant to sundry resolutions of the 17th ultimo,) a statement of the actual balance, &c. in the treasury, on the 1st day of January, 1820, together with a statement of the amount of the public debt redeemable in 1820, 1821, 1822, 1823, and 1824, exhibiting also the interest payable in, and the balance of the annual appropriation of \$10,000,000 which will remain unapplied at the close of each year.

Treasury department, 24th January, 1820.

Sir—In obedience to sundry resolutions of the house of representatives of the 17th instant, directing the secretary of the treasury to report 1st. the actual balance in the treasury, and in the hands of the treasurer, as agent of the navy and war departments, and the amount of any subject to the control of the commissioners of the sinking fund, on the 1st day of January, 1820; 2d. the principles upon which the receipts into the treasury from the sales of public lands, for the year 1820, has been estimated; and, 3d. what amount of the public debt will be redeemable according to the terms of the contract in the years 1820, 1821, 1822, 1823, and 1824: and what amount would be left of the sinking fund in each year respectively, after payment of the interest of the public debt, and the portion of the principal which may be redeemable within the year: I have the honor to submit two statements, marked A. and B.

If the payments for public lands are made when they fall due, the greatest accuracy might be attained in estimating the receipts into the treasury from the sales previously made. So far as the receipts would be affected by sales made during the year embraced by the estimate, it would necessarily be conjectural. But, as the purchasers are subject to no penalty for delay of payment until the expiration of five years from the date of the sale, except

the payment of interest, a general want of punctuality every where prevails. The sums which ought to be paid at the end of the second, third, and fourth years, are more generally paid in the fifth year.

If the indulgence which, since the year 1809, has been uniformly extended to the purchasers of the public land had not grown into a system, it would be practicable to determine, with sufficient accuracy, the amount of the receipts into the treasury during any year, so far as they depended upon sales previously made, after the principal land offices had been opened for five years. The debt contracted by the purchase of lands in any given year would not materially differ from the sum which would be receivable during the fifth year after it was contracted. But the frequent and general indulgence which has been extended to the purchasers of the public lands, has rendered the application of this rule for estimating the receipts into the treasury from that source of the revenue entirely nugatory. The payment of interest is, in fact, under this system of indulgence, the principal inducement to the punctual discharge of the instalments as they become due, or at any later period. As the use of money is generally worth more than legal interest, where the payments are made, the want of punctuality will probably become more general. In estimating the probable receipts into the treasury during the year 1820, more reliance has been placed upon the quantity of land which will, within the year, be offered at public sale, than upon the sums which may be payable during that period, on account of sales previously made.

I have the honor to be, with great respect, sir, your obedient servant,

WM. H. CRAWFORD.

The hon. the SPEAKER
of the house of representatives.

(A.)

A statement of the actual balance in the treasury, and in the hands of the treasurer, as agent of the war and navy departments, and the balance in the treasury subject to the control of the commissioners of this sinking fund, on the 1st day of January, 1820.

Balance in the treasury, \$2,336,833 28 a

In the hands of the treasurer, as agent of the war department, 995,945 13

In his hands as agent of the navy department, 372,913 70

Balance in the treasury subject to the control of the commissioners of the sinking fund, 62,378,398 42

a This sum will probably be increased when the returns from all the receivers of public money, and of the banks in which they make their deposits, are received, for the month of December. At the date of their last returns there were in their hands \$334,560 53, which sum would be augmented by the payments made during that month.

b Of this sum \$1,646,117 42 are applicable to the payment of that amount of Louisiana stock, still outstanding, which was redeemable on the 21st October, 1819.

(B.)

Statement of the amount of the public debt redeemable in 1820, 1821, 1822, 1823, and 1824, exhibiting, also, the interest payable in, and the balance of the annual appropriation of \$10,000,000, which will remain unapplied at the close of each year.

Balance of appropriation for 1819, unapplied in that year	2,378,398 42
Appropriation for 1820	10,000,000 00
	12,378,398 42

Principal redeemable in 1820	
Claims on account of the instalments of Louisiana stock, payable in 1813 and 1819, unapplied for on the 1st December, 1819,	1,646,117 42 <i>dls.</i>
Residue of Louisiana stock	2,216,462 77
Six per cent. stock of 1796	80,000 00
Reimbursement of deferred stock	505,106 94

Total principal	4,445,777 13
Interest payable in 1820	4,911,843 00
	9,357,620 13

Balance of appropriations which will be unapplied on the 31st December, 1820	3,020,778 27
Appropriation for 1821	10,000,000 00
Principal redeemable in 1821	
Reimbursement of the deferred stock	534,033 03
Interest payable in 1821	4,773,737 63
	9,307,770 75

Balance of appropriation which will be unapplied on the 31st December, 1821	4,692,220 24
Appropriation for 1822	10,000,000 00
Principal redeemable in 1822	
Reimbursement of the deferred stock	566,588 75
Interest payable in 1822	4,741,182 01
	5,307,770 76

Balance of appropriation which will be unapplied on the 31st December, 1822	4,692,220 24
Appropriation for 1823	10,000,000 00
Principal redeemable in 1823	
Reimbursement of deferred stock	602,836 47
Interest payable in 1823	4,704,934 29
	5,307,770 76

Balance of the appropriation which will be unapplied on the 31st December, 1823	4,692,220 24
Appropriation for 1824	10,000,000 00
Principal redeemable in 1824	
Reimbursement of deferred stock	356,858 93
Interest payable in 1824	4,466,267 31
	5,023,125 24

Balance of the appropriation which will be unapplied on the 31st December, 1824	4,976,873 76
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Total amount of the annual appropriations of 10,000,000 00, for the years 1820 to 1824, inclusive, which will, according to the terms of the contracts in relation to the redemption of the public debt, remain unapplied on the 31st December, 1824 22,074,330 76

Treasury department, register's office, 22d January, 1820.
JOSEPH NOURSE, Register.

[Extract from the records.]

Foreign Articles.

GREAT BRITAIN AND IRELAND.
London dates of Dec. 25.

The members of the radical committee of Manchester, had been arrested and committed to prison, for want of bail.

The celebrated actress Miss O'Neil, has been married to a rich Irish gentleman, named Beecher, who required her to settle her own fortune on her mother, &c. and also settled upon her 1000*l.* a year.

Parson Harpison, of Stockport, has been arrested for preaching a seditious sermon.

A quantity of *Radical Breakfast Powder*—composed of red wheat and barley, has been seized as "imitation coffee." We suppose therefore, it is criminal to use a substitute for coffee!

Stocks, Dec. 25. 3 per cents 56 to 67. American 6's, 97 to 98.

Mr. Hobhouse has been arrested by order of the house of commons, for having written a pamphlet which the house construed into a libel. He resisted the arrest on principle, and intends to contest the matter in the courts of law. His arrest has been severely deprecated by a meeting held at the

Crown and Anchor, at which sir F. Burdett presided.

In parliament, a short but interesting discussion took place, in the course of which lord Castlereagh most forcibly and distinctly stated, that no deviation was intended to be made in the plan adopted last session for the gradual resumption of cash payments; "every principle of practical wisdom," he observed, "and of legislative policy, called upon them to adhere to it. He knew of nothing that could prove more injurious to the interest of commerce than even a *doubt* that the late decision of parliament was not final.

The seditious and blasphemous libel bill passed the house of lords, and the newspaper stamp duty bill the commons, by large majorities. The seizure arms bill passed the lords, Dec. 17, 135 to 38. On the 23d, a bill to abrogate the right of traverse, received the royal assent.

On the 24th Dec. the commons adjourned to the 30th, to give time to the house of lords to pass the newspaper stamp duties bill through the remaining stages; after which both houses were to adjourn to the 15th Feb. until which time the chancellor of the exchequer said, he should delay proceeding on any measure of finance.

The chancellor of the exchequer reported that the excise duties for the past year had exceeded the average of the three preceding years.

A Mr. Heartfield has published a pamphlet proposing to pay off one half of the national debt, by an assessment of 15 per cent. on the capital of all property in the kingdom. The *Courier* says, the project "is wise, necessary, will be effectual," and permit the repeal of twenty millions of taxes.

Lord John Russell has obtained leave to bring in a bill to transfer the right of sending members to parliament from the corrupt borough of Gram-pound to the populous town of Leeds.

A letter from Edinburgh, of the 22d inst. states, "that this day the high court of judicature met to proceed to the trial of *George Kinloch*, esq. of Kinloch, accused of sedition. But he having failed to appear, sentence of fugitation was pronounced against him; he was declared an outlaw, his movable goods and gear were sequestrated to his majesty and his bail bond forfeited."

It is said that stations are fixed upon, and telegraphs are to be erected, without loss of time, to form a communication between Manchester and the metropolis.

Steam ploughing!—Mr. Playfair, in his curious memoir of J. Watt, esq. says, that the power of steam may be employed to the ploughing of land.

A considerable degree of ferment still exists in England, Scotland and Ireland—but the people seem doomed to be positive slaves. The laws lately passed deprive them of almost every right of which they formerly boasted, and are acknowledged violations of the constitution of the United Kingdoms.

Mr. Cobbett has attempted a reconciliation with Sir Francis Burdett. The latter would not hear of it. Mr. C. seems to have thought that as the price of it, sir Francis should engage to purchase seats in parliament for himself and Mr. Hunt!—or at least, open his purse liberally to get them elected—a very modest idea.

Twenty eight persons were sentenced to death at the last sessions at the Old Bailey, and ninety to be transported.

A person has been fined 2000 pounds for defrauding the excise, by concealing frames for making
out

The troops of all descriptions at Glasgow amount to 5000—the powder belonging to individuals has been removed under military process and escort, to the castle at Edinburgh—at Sheerness, even the dismounted cannon were removed within the garrison for safety. The strong precautionary measures every where adopted, will probably establish a perfect despotism in Great Britain—the reformers being without system or leaders.

Two women have been sent home from Botany Bay, as being of too infamous character to continue in the colony!

Mr. Stokoe, the surgeon appointed to attend on Bonaparte, has been tried by a court martial, at St. Helena, on ten charges, for disobedience of orders: he was found guilty of all the charges, and sentenced to be dismissed the service, but in consequence of his former good character, the court recommended him to the admiralty to be placed on half-pay.

The corporation of Dublin have petitioned parliament against the emancipation of the catholics.

The counties of Roscommon, Galway and a part of Sligo, in Ireland, are said to be in a state of great commotion—large bodies of armed men are marching through the country and doing almost what they please.

The newspaper stamp duty bill has had a second reading in the house of lords. Lord Donoughmore observed that ministers had wound up their measures of indiscriminate coercion to an appropriate conclusion by this attack on the liberty of the press

FRANCE.

The celebrated M. Gregorie, elected to the chamber of deputies, has been ejected therefrom by a great majority, amidst shouts of *à vive le roi!* A pretty example of legislation!

The trial of Savary, duke of Revigo, was about to take place. He had surrendered himself to get rid of the sentence awarded against him *par contumace*.

The royal court of Paris lately gave its decision in the suit instituted by the Sieur Mottet against Joseph Bonaparte.—Mottet had purchased an old convent near Madrid, which he converted into a tan house; and Joseph Bonaparte demolished the building without making any compensation to the owner, who by this proceeding sought to recover an indemnity from the *ex-dévant* usurper of the throne of Spain. The opinion of the court was, that as Mottet had made a contract with an illegal authority then existing in Spain, he incurred all the risks likely to result from the acts of that authority; and therefore the court rejected the demand.

SPAIN.

The London papers contain accounts from Cadiz, to the 1st Dec.

The expedition continued in preparation—One to carry 5000 troops to Morillo, and another to take from 10 to 15,000 troops against Buenos Ayres! The naval commissioners were chartering vessels to convey them.

Advices from Cadiz, dated, Nov. 27, state, that an order has been issued by the king of Spain, to allow the admission of British merchandize to a limited extent of tonnage, and at a given ratio of duty, without examination. This privilege is confined to the ports of Cadiz, Seville, Alicante and Malaga.

An article from Madrid speaks of a constant communication being kept up with the English government, couriers being constantly passing between Madrid and London. It is added that sir

Henry Wellesly, the English minister, had been consulted by the Spanish cabinet about an amnesty.

The yellow fever had not entirely ceased at Cadiz on the 29th November—but was rapidly declining.

ITALY.

A dreadful eruption of Vesuvius took place on the 23d Nov. Happily, the lava took a direction which allayed all apprehensions for the neighboring country.

BRAZIL.

The court of Naples has concluded a treaty with that of the Brazils, for placing at the disposal of the latter 2000 galley slaves. They are to be conveyed to Lisbon in Neapolitan ships of war; and to be transported thence at the expense of the Portuguese government.

CONGRESS.

IN THE SENATE.

February 7.—Numerous petitions were presented and referred this morning; amongst them several from merchants of Savannah, paying a remission of certain duties on merchandise imported, in consideration of the late destructive fire in that city, by which the very goods are destroyed on which the duties accrued, which they pray to be remitted; also a memorial from the legislature of Indiana, praying an extension of the time allowed for the payment of public lands in that state.

The president laid before the senate the annual report of the commissioners of the sinking fund, (communicated to the other house on Saturday,) which was laid on the table.

Mr. Trimble laid before the senate certain resolutions of the legislature of Ohio, desiring the appointment of commissioners to view and mark a road, as the continuation of the National road from Wheeling, to the seat of government of Ohio, thence to the seat of government of Indiana, thence to that of Illinois, and thence to St. Charles, in Missouri.

Mr. Walker, of Geo. submitted the following resolution:

Resolved, That the president of the United States be requested to cause to be laid before the senate any information he may possess, (and of which the public interest does not, in his opinion, require concealment,) relative to the late treaty between the United States and Spain; whether the same has yet been ratified on the part of Spain; and, particularly, that he be requested to state whether any information has been received from the court of Madrid since the date of his message to congress at the commencement of the present session; whether he still expects a minister from Spain; and at what period may his arrival be probably expected.

The bill from the other house, making appropriations to supply deficiencies in the last year's appropriations for the public buildings, was read the third time and passed.

The engrossed bills to continue in force the act of 1818, regulating the collection of duties on imports and tonnage; to remit the duties on a statue of general Washington, executed in Europe, for the state of North Carolina; and the bill for the relief of Jennings O'Bannon, were severally read the third time, passed, and sent to the other house for concurrence.

Mr. Trimble laid on the table a resolution, proposing a standing committee of five members, on the subject of roads and canals.

The senate then took up the Maine and Missouri bill; when—

Mr. Thomas, for the purpose of modifying, or introducing it in another shape, withdrew the amendment which he offered on Thursday last; and then, on motion of Mr. Smith, the bill was postponed to to-morrow.

Several bills were read a second time in course; some, further postponed, and several, of a private character, were, after consideration, ordered to a third reading; and—

The senate adjourned.

February 8.—The president communicated a report of the secretary of the navy, containing an abstract of the expenditures on account of the contingent expenses of the navy for the last fiscal year; which was read.

Amongst the petitions this morning presented, were several from merchants in the commercial cities, praying duties to be laid on auction sales; and from others, praying that the credit on duties may not be abolished.

The senate resumed the consideration of Mr. Walker's motion, of yesterday, calling for information respecting the Spanish treaty; and, after a short discussion thereon, it was ordered to lie on the table.

The senate took up Mr. Trimble's resolution to appoint a standing committee on the subject of roads and canals, and agreed thereto; whereupon Messrs. King, of N. Y. Van Dyke, Trimble, Dickerson, and Thomas were appointed to compose the committee.

To this committee various memorials and petitions, heretofore otherwise disposed of, were referred; and

The senate adjourned.

February 9. After a variety of business, not generally interesting—

The senate proceeded to the consideration of the Maine and Missouri bill—when,

Mr. King of New York, wishing to offer to the senate his opinions on the Missouri subject, moved to postpone the bill until to-morrow; but a motion to postpone it to Friday prevailed, and it was postponed to that day accordingly.

The bill respecting horses and property lost in the Seminole war, was postponed until Tuesday next.

HOUSE OF REPRESENTATIVES.

Friday, Feb. 4.—The house agreed hereafter to meet at 11 o'clock.

Mr. Randolph rose to offer a motion, having for its object an enquiry respecting the enforcing a stricter accountability for the public monies, &c. The United States reminded him, he said, of those generous and gallant young fellows, ready to do justice, at all times, to every body but themselves. The moneys of the United States were scattered over the country from Passamaquoddy to Yellow Stone—from Chicago to Mobile, in a manner which would fritter away the resources of any other nation in the world than this. Nothing, said he, but the rapid growth of the infant Hercules has enabled us to support this dilapidation of the public estate.—We are something like the Georgia and Virginia planters—cotton being at fifty cents, and tobacco at thirty dollars. Do you want a tooth pick? Take a hundred dollars. Do you want a tooth-brush? Take a hundred dollars. Do you want tooth-powder? Take a hundred dollars. And, sir, we want pens, paper, and ink—and these different wants supply business for several individuals to whom money is

advanced, to be accounted for hereafter. Is it accounted for? What is the deficit now? It exceeds greatly the average annual revenue during the administration of Washington. [He then took a view of the receipts at the treasury in former years—in 1791 the amount was 4,400,000—in the last year of gen. Washington's administration, they amounted only to seven millions—and asked if there was no way to recover the public assets from the hands of those who were living on the public funds? He next referred to the banks of the district—too tedious to be named, and asked how much money was in them, &c. He concluded by offering the following resolution, which, after some remarks from Mr. Lowndes and Mr. Trimble, and another tart speech from the mover, that "the leeches might be made to disgorge," was agreed to without a division.

"That the secretary of the treasury be directed to report to this house such measures as, in his opinion may be expedient to enforce the more speedy payment of public monies, due from individuals and corporate bodies in the United States."

The house again resolved itself into a committee of the whole, Mr. Baldwin in the chair, on the Missouri bill.

Mr. *Hardin*, of Kentucky, took the floor, and spoke at considerable length against the restriction.

Mr. *Cook*, of Illinois, took the other side of the question, and spoke some time in favor of the restriction; before concluding, he gave way for a motion for the committee to rise; when the committee rose, and the house adjourned.

Saturday, Feb. 5.—After the presentment and reference, as usual, of sundry petitions—

Mr. *Meigs*, of New-York, submitted the following preamble and resolution for consideration, which being read, were on motion of Mr. *Walker*, of N. C. ordered to lie on the table:

Whereas slavery in the United States is an evil of great and increasing magnitude; one which merits the greatest efforts of this nation to remedy: Therefore

Resolved, That a committee be appointed to enquire into the expediency of devoting the public lands as a fund for the purpose of—

1st. Employing a naval force competent to the annihilation of the slave trade.

2d. The emancipation of the slaves in the U. S. and

3d. Colonizing them in such way as shall be conducive to their comfort and happiness in Africa, their mother country.

The house then again resolved itself into a committee of the whole, Mr. Baldwin in the chair, on the Missouri bill.

Mr. *Cook* resumed the speech which he commenced yesterday, in support of the restriction, and in continuation occupied the floor about two hours.

Mr. *Hemphill*, of Pennsylvania, next rose, and spoke more than an hour in favor of the restriction, when he gave way for a motion for the committee to rise; which prevailed, and

The house adjourned.

Monday Feb. 7.—The speaker laid before the house a letter from the comptroller of the treasury, transmitting, pursuant to law, a statement of balances on the books of the register of the treasury, due by persons, and remaining unsettled more than three years prior to Sept. 30, 1819; which were ordered to lie on the table.

Mr. *Meigs*, made an unsuccessful motion to go

into the consideration of his resolution submitted on Saturday.

Mr. *Smith*, of Maryland, from the committee of ways and means, reported a bill making appropriations for the navy for the current year; which was twice read and committed.

Mr. *Nelson*, of Virginia, moved the adoption of the following resolution, and submitted a few remarks on the deep importance of the question now under consideration in the house, and the great anxiety of the people to know the result of the deliberations on that question, &c. to enforce the propriety of agreeing to the proposition which he offered, and which was as follows:

Resolved, That the standing rules and orders of the house of representatives, directing the method and order of transacting business, be suspended, and that, until the passage or rejection of the bill for the admission of Missouri as a state into the union, this house will proceed to transact no other business, but will daily, as soon as a quorum assembles, enter upon the consideration of that subject, and will not suffer its deliberations to be interrupted by the examination of any other question whatever.

The question was then put, whether the house would now consider the resolution, and it was determined in the negative—ayes 72, noes 79.

Mr. *Mercer* submitted the following resolution for consideration:

Resolved, That, until the decision of the question now depending in this house, relative to the admission of the state of Missouri into the union, the house will not adjourn any day before 4 o'clock in the afternoon.

After some remarks, the speaker decided that the proposition went to change the standing rules of the house, and must therefore lie on the table one day.

The house resumed, as in committee of the whole Mr. Baldwin in the chair, the consideration of the Missouri bill—the restrictive amendment being still under consideration.

Mr. *Hemphill*, of Pennsylvania, resumed and concluded the speech which he commenced on Saturday, in favor of the restriction.

Mr. *M-Lane*, of Delaware, followed, in opposition to the restriction, and spoke nearly three hours. When he had concluded,

Mr. *Clay* (speaker) rose and expressed a wish to address the committee on the highly important question before it; but the lateness of the hour prevented his asking its attention this afternoon; and he therefore moved that the committee rise.

The committee then rose, obtained leave to sit again; and

The house adjourned.

Tuesday, Feb. 8. The speaker laid before the house a report from the secretary of state, transmitting, in obedience to a resolution of the house, a list of the printers appointed to promulgate the laws of the United States, which was ordered to lie on the table.

Mr. *Lowndes*, from the committee on foreign relations, made an unfavorable report on the claim of the owners of the Danish vessel *Henrick*, recommended to the attention of congress, by the president of the U. S. on the 24th Dec. last; which report was committed to a committee of the whole house.

Mr. *Nelson* withdrew the motion which he offered yesterday to dispense with all other business until the Missouri question was disposed of, with the avowal that he would offer it to-morrow—not wishing at present to prevent the house from resuming

the immediate consideration of the Missouri question, for which it appeared prepared.

The house then again went into a committee of the whole, Mr. Baldwin in the chair, on the Missouri bill—the restrictive amendment being still under consideration.

Mr. Speaker Clay rose and addressed the committee nearly four hours against the right and expediency of the proposed restriction.

The committee then rose on motion of Mr. Sergeant (who, according to usage, has priority of claim to the floor to-morrow;) and

The house adjourned.

Wednesday, Feb. 9. A number of unfavorable reports on private petitions, were received—

Mr. Foot offered the following resolutions for consideration:

Resolved, by the senate and house of representatives of the United States of America, in congress assembled, That there shall be neither slavery nor involuntary servitude in any of the territories of the United States, otherwise than in the punishment of crimes, whereof the party shall have been duly convicted: Provided, That this shall not be construed to alter the condition or civil rights of any person now held to service or labor in said territories.

Resolved, That it be, and is hereby, recommended to the inhabitants of the several territories of the United States, that, for the purpose of effectually preventing the further extension of slavery, each territory, when authorised by congress to form a constitution and state government, shall, by express provision in their constitution, prohibit involuntary servitude, or slavery, otherwise than in the punishment of crimes.

Mr. Nelson, of Virginia, moved that the resolutions be committed to the committee of the whole house, which was now considering the Missouri bill. It was entitled to a serious consideration, as it affected the important question now under discussion. He conceived this not the proper mode of bringing up the question; it should be in the usual form of an act, which should go through the several forms, while, as a resolution, introduced to-day to be decided to-morrow, it would not afford an opportunity for discussing its merits.

Mr. Foot observed, that a reference to a committee of the whole would defeat the object, because the subject now before the committee would of course have the precedence. These resolutions, gentlemen would observe, by a little attention, were perfectly proper, and, indeed, the only form in which a decision could be made; particularly as it respected the second resolution, which contained a mere recommendation to the territories to prohibit slavery, without involving the question whether the congress had the power to impose this restriction. It was admitted, by gentlemen on both sides, that congress had the power to prohibit the extension of slavery in the territories; and, if these resolutions should be adopted, congress would be relieved from the disagreeable necessity of deciding on their constitutional powers, respecting which great doubt appeared to exist—and the excitement which this question had produced would be allayed; then nothing would remain for their consideration but the question of expediency; the appeal would then be made to the proposed state of Missouri to restrict slavery, instead of an attempt to impose the restriction by congress. Mr. F. moved to commit the resolutions to a committee of the whole on the state of the union.

Finally the resolutions were laid on the table.

Mr. H. Nelson called for the consideration of the resolution offered by him on Monday, in substance to suspend all other business of the house, pending the consideration of the question (now under discussion) concerning the admission of Missouri into the union, with or without restriction—but the house refused, by a large majority, to consider the resolution.

The house then resumed, in committee of the whole, the consideration of the Missouri bill and the restrictive amendment proposed thereto.

Mr. Sergeant, of Pennsylvania, commenced a speech in favor of the restriction, and spoke nearly three hours; when he gave way for a moment for the committee to rise—which prevailed; and

The house adjourned.

THURSDAY'S PROCEEDINGS.

The senate were occupied this day almost wholly on bills and reports on private claims, the investigation of which frequently consumes much time.

The house of representatives went into committee of the whole, soon after 11 o'clock, on the great topic of the day. Mr. Sergeant occupied nearly three hours in continuation of the argument which he commenced yesterday in support of the Missouri restriction. Mr. Barbour, of Virginia, followed, and spoke more than three hours against the restriction. When Mr. B. sat down, several gentlemen rose, but Mr. Gross, of New York, obtained the floor; on his motion the committee rose, and the house adjourned a little after 5 o'clock.

CHRONICLE.

Maine. It appears that by the act of the state of Massachusetts for the separation of Maine, all the proceedings had on this subject will be null and void, unless Maine is admitted into the union before the 4th of March next:—hence a petition has been preferred to the legislature of Massachusetts, by the councillors, senators and representatives residing in the district of Maine, requesting that the provisions of the act may be extended as to time. They disclaim an intention to censure the national government, yet express their "surprise" at the junction of their case with that of Missouri, saying—"We have never understood that any objection existed to the admission of Maine to all the privileges of the federal union. But with respect to the territory of Missouri, with which, by this unusual proceeding, we are so unexpectedly connected, it cannot be unknown to the members of your honorable body, that a difference of opinion prevails in the national legislature, with regard to the right or expediency of imposing certain restrictions, as conditions of her admission into the union. In this controversy we have no peculiar interest. It no more concerns Maine than any other part of the nation: and yet, while the question respecting Missouri, continues unsettled, our application remains in suspense. In this state it is feared it will continue until the 3d of March is passed."

Saying, however, that they feel an entire confidence that Maine will be admitted during the session. We hope that the legislature of Massachusetts will extend the time as requested; but think it very doubtful, if the house of representatives of the United States should differ from the senate on the principle of restricting Missouri, whether the latter will recede from the singular ground it has taken.

NILES' WEEKLY REGISTER.

NEW SERIES. No. 25—VOL. V.] BALTIMORE, FEB'Y 19, 1820. [No. 25—VOL. XVII. WHOLE No. 441

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

☞ A prospectus of the REGISTER is enclosed, that gentlemen willing to encourage the further circulation of this paper, may have an eligible opportunity to do so, and thus enable the editor to continue the publication of gratuitous supplements.

Maine. It will be seen by a reference to the congressional proceedings, that a motion nearly prevailed on Wednesday last, to act upon the admission of Maine into the union *according to the merits of the case*—21 for, 23 against it. The act of the senate, in coupling the fate of Maine to that of Missouri, and thus persisting in it, has excited no little degree of surprise. If the *principle* on which they should be admitted is even the same, the *condition* of the parties is essentially different; and most people think that the solemn act of receiving a new state into the confederacy is worthy of a bill for the purpose! The more we reflect on this proceeding, the more cause we find for humiliation—the more we are inclined to think that the senate of the United States, which ought to be the most dignified legislative body in the world, has come to the resolution not to do an acknowledged right, because the other house may refuse to do what it believes to be a wrong—though there is no reasonable connection in the two cases;—a proceeding badly calculated to promote a spirit of harmony and forbearance, now so needful to us all. We yet hope that the senate will agree to consider the admission of Maine and Missouri according to their *respective merits*. ☞ See subsequent proceedings, page 439.

☞ *Solomons in legislation.* The general assembly of Maryland closed its session on Tuesday last. Among the acts passed, is one staying executions until November 1821, on giving certain additional securities and paying certain instalments of the debt. It must be said in favor of this law, that it is more guarded in its provisions than any other of the same sort that we recollect to have seen—but is it constitutional, just, or expedient? Does it not impair the obligation of contracts—will it not cause many kind-hearted men to be ruined by going security—will it not mightily increase the present tremendous herd of bankrupts? It may relieve a few worthy persons, say an hundred in the state, but will ruin a thousand. We well remember the desolation caused by a former law on this subject when its period expired.

Presidential election. A meeting of the members of the legislature of Virginia was held at Richmond on the 10th inst. for the purpose of nominating electors of president and vice president of the United States.

After the meeting was organized, an adjournment finally took place—upon the ground of the sensibility excited by the intelligence just received from Washington and the propriety of waiting for further accounts, before any nomination was made."

In explanation a gentleman stated, "that he had received a letter from an honorable senator, stating that the bill for the admission of Maine and Missouri had at this time only a majority of one in the senate; that one of the members from a non-slaveholding state would vote against it, unless a com-

promise was made by drawing a boundary at the line 36 deg. 30m. latitude, (W. of the Mississippi,) slavery to be admitted S. of this line and prohibited to the N. of it," &c. &c.

☞ What the Missouri question has to do with the nomination of electors of president in Virginia, we are yet to be informed of; as we take it for granted that Mr. Monroe will receive the support of that state, let this question be decided as it may; and we believe it is the general wish that he should be continued another term. But if other states are pleased to act up to Mr. Monroe's motto—*principia non homines*, and apply them to the Missouri question, they may certainly endeavor to elect another person, if they please. But we hope that this will not be the case; and that a way will be found out to get rid of this "distracting question," as Mr. Lowrie called it in the senate, that may conciliate all parties.

The "Enquirer" however, talks loud against any compromise—about which, perhaps, we shall say something next week. Respecting our own feeling, we have learnt to respect those of others, and when two persons *honestly* differ, neither should be resolved to have his own opinion gratified at every hazard; if so, good neighborhood must be destroyed.

Error gladly corrected.—We are happy to be informed that the venerable William Ellery, whose decease we announced, yet lives and is in good health. May he long continue to enjoy it!

As it was and as it is.—It is curious to note the change of men and manners. For two or three years past, some part of my time has been given up to searching old papers to obtain suitable matter for the volume which I am publishing, entitled "*Principles and Acts of the Revolution*," and I feel justified in expressing a belief, that more words are now uttered in a single session of congress than were uttered, in the form of speeches, in all the congresses of the revolution, from 1775 to 1783! Then the members thought and acted—*now* they think little and act less.

It is freely admitted that the question at present before both houses of congress, on the Missouri bill, is a very important one. But is it necessary that every person, blessed with the gift of speech and qualified to talk a couple of hours at a time, should speak upon it? How many members of congress really listen to some of these speeches?—not more than one in twenty; nineteen-twentieths are employed in writing letters, reading newspapers, or seated as though it were a *day's work* to remain a certain number of hours within the hall! It is not possible that it should be otherwise. The very best thing, though said in the very best manner, if repeated more than fifty or an hundred times, will wear out the patience of almost any man; and what a waste of breath there must be in a speech six or seven hours long! How much foreign matter must be introduced—how many things said over and over again and again and again!

But we now have a hope that the present discussion will close in a few weeks!—we are getting clear of two or three speakers per day, instead of

having two days occupied by one speech—and this is a great comfort! But so much time has been uselessly spent, that much important business will be neglected, to the great injury of the public.

We are decidedly friendly to free discussion, but knowing that many speeches are made without the hope that they will have any effect on the members of congress—with the sole view of being read in the newspapers,—we should be glad if some measure could be adopted to prevent the waste of so much precious time. On the average, perhaps, congress does not attend to business more than four hours a day—the cost of the house of representatives is about 2000 dollars; of course, the speeches consume 500 dollars per hour. But this is a trifle compared with the injury inflicted by the neglect of things that ought to be done.

Public Offices, Contracts, &c.

"Principiis obsta, sero medicina paratur
Cum mala per longas convalere moras."—Ovid.

Meet the disorder at its beginning. The medicine may be too late when the disease has gained ground through delay.

"An armed people and an unarmed magistracy" said John Dickinson, "is the best security for freedom"—and, he might have added, for an honest administration of their concerns, also.

If I understand the principle of offices in a republican government, it is that they are established for the public good, to be administered for the benefit of the people, who should make a reasonable compensation for services rendered or responsibilities incurred: and I believe, that any and every sort of a bargain or sale, of a public post, place or privilege, is an abomination that cannot be too much deprecated.

The best petition ever offered to Heaven, was—"Lead us not into temptation." This was said by One who well knew the frailties of human nature. Hence, as the people cannot be supposed to desire to injure themselves, and as they are, and of right ought to be, the best judges of their own concerns, it appears proper that they should retain to themselves every privilege and power that they can conveniently act upon of themselves, or through representatives immediately responsible to them—for we are well assured that "angels in the form of men have not descended to govern us."

A compensation should be made for all services rendered the state of sufficient amount to induce honest and capable and *industrious* men to accept of public offices, without detriment to their private affairs. For want of this, in many cases, incompetent and unworthy persons are appointed to office, whose deliberate intention it is, either to get along as easily as they can, or to make the most that is possible out of the office, no matter who suffers—to consider all things as expedient that contributes to their love of ease, or love of money. Either of these dispositions in the principal of any department or office, naturally begets the same habits of idleness or desire of unlawful gain, in all the subordinates—indeed, these are encouraged in them to countenance the principal, and the whole body becomes inattentive or fraudulent. We see this every day; every man knows it by his own experience. In general, I believe that *economy* is on the side of high salaries, because thereby the responsibility of the office is increased, no pretence is left for neglect of duty, and respectable men are induced to accept public appointments. It is true, that *splendid* cases of bribery and corruption are not want-

ing, and some men thought honorable will always be bought and sold like cattle at a public vendue—still, the best way to keep people honest is to make it their *interest* to be so, and shut out *Necessity* with her vile pleas to justify *management* and *fraud*. Carelessness and inattention, however, waste a thousand times more than corruption purchases. I knew a farmer of Pennsylvania who, about 20 years ago, having asked "in fun," as he said, fifty dollars each for some trees standing in his woods, obtained it—which trees cost government not less than one hundred a-piece before they reached the landing place, at which the farmer would have gladly agreed to deliver them for twenty; and, more recently, I have heard that the *provisional* occupancy of a small tract of land has been purchased for 4500 dollars, the fee simple of which, and of many more acres adjoining, might have been had for 1000, if a private man had offered the latter sum for it. Hence the saying in England, which applies more or less to every government, that "the king's cheese goes half away in paring," and that the "candle's ends" of office cost the people more money than they seemingly pay for the office itself, like the "thread, tape and buckram" of a taylor's bill for making a coat.

There is another great mistake which the people as well as the government, too often fall into. There are every where some men who are *standing candidates*, or applicants, for an office, or any office more profitable or convenient than that which they happen to hold. Those persons having seen so much of what is called *management*, (with the same meaning that I apply the term *speculation* to the frauds and robberies of and by banks,) not only become enured to it, but accumulate all the filth of every office they fill and carry it along with them whithersoever they go—and like, old hackney horses, they become callous to the whip of conscience. Reference should frequently be had to the pure fountain of the people, the uncontaminated yeomanry of the country,—persons who esteem private honesty as one of the best qualifications for public office—men who mingle with the people and know their wishes, wants and feelings. It is on the principle here contended for, that hereditary princes and nobles are the most silly of all men blessed with such opportunities of acquiring knowledge. Among the reigning princes of Europe there is hardly one whose mind is fitted to his station—they are generally semi-ideots, or men of very mean capacities—several of them nearly positive fools. Why is this?—it is the operation of *nature* on the mind and disposition of man, according to the manner just stated—an habitual and hereditary want of attention to improve,—a *depreciation of the species!*—Yet, certain persons seem as if made to fill certain offices, but these are not of the class that I call "standing candidates" for office; and, though rotation as a general principle is the safety of a state, some may prudently be admitted to retain their stations for a number of years. There are not many of these.

In all cases whensoever and whatsoever the whole duties of an office are performed by a *deputy*, it is time that its salary or fees were reduced, and the principal discharged. There is nothing so hateful as a *sinecure*—and if I had the power, on a simple knowledge of the fact that an officer did not himself personally attend to and perform the duties of his office, I would dismiss him. *This rule should apply without exception.* He that is unable or unwilling to do what is required of him, should not stand in the way of a more worthy man. On this principle, I have been anxious to cause the removal of some

men from office, for whose private comfort I would have agreed to tax my own pocket many times the amount of what I contributed to their salaries. Our feelings as men may often be at variance with our duty as citizens; but the former should always give way. I have been told there is a case of an officer under the United States, who receives all the perquisites of a very responsible station, yet thought unworthy or disqualified to handle the money which he himself ought to receive in his office—that his own dues are paid to him by a clerk,--a mere clerk, who, in respect to the cash, is not under his controul! If the principal cannot be trusted with the money, why should he be retained? And in Maryland, I learn that the principal of one of the best offices in the state has never been seen in his office, for ten years, by those who have frequented it during that time. He lives several miles distant from the place at which the business is done, and very seldom leaves his home. Another, and one of the most important offices, was given to a man whose residence it was understood would be more than 100 miles from the place at which its duties were to be performed, with the knowledge that he would not, or could not, attend to them, personally. Will any one pretend to say that the *public good* is regarded in things like these? No-- it is buying and selling, and nothing else--a balancing of straws against the people's welfare.

As low salaries, or mean wages, oftentimes lead public officers into carelessness or corruption, so some of the *Jew-bargains* made by government have had in themselves the elements of fraud; and what was apparently the cheapest was much the dearest in the end. I am so sure that I may almost be said to know of, some contracts in which cheating must necessarily have been *calculated* upon, else those who engaged in the contract would not have taken it. I have heard my father relate an incident that occurred to him during the revolutionary war, which is applicable to this matter: He sold a sleigh to a French officer who paid the price of it, and the negotiation was supposed to be settled; but after a few days, the officer presented to him duplicate bills for the same amount, requesting that he would sign them, as for a *milk cow* bought of him! My father refused, and the Frenchman *explained* himself by saying, "the king of France would cheerfully pay for a cow to furnish milk for the sick, but will not pay for a sleigh!" Are we to suppose that the day of these things has passed?--Verily, verily, they have not. And again, many officers receive a commission on their disbursements--of course, they would rather pay out 1000 than 100 dollars, and "Uncle Sam" can afford it!

In one instance, the United States have pursued a wise policy to protect the revenue. In most countries, the officers of the customs are perfectly understood to have a moderate price for their honesty: their employment is made a mean one by the mean wages which they receive; and I have heard many foreigners express their astonishment at seeing our "tide waiters," as they call our inspectors, treated like gentlemen, and deservedly so, in most instances. They receive a handsome competence--three dollars per day; they do their duty, for they have a reputation as well as a valuable office to lose--and the government saves millions, perhaps, by its *economy* in paying them well for their services. I knew a man who made \$30,000 by a bribe of two guineas in England, on an invoice of copper and copper nails, which he thereby exported to the U. States, at a time when their export was prohib-

ed: I do not believe that much, if any such bribery is practised here, and for the reasons stated. Our inspectors, it is true, are only men; but situated as they are, there is much risk in attempting to purchase them.

The delay that attends the settlement of public accounts, is a grievous temptation to sin, and much loss is incurred from this source. A case that has come under my own knowledge will shew how this may happen. I know a gentleman who disbursed heavy sums of money during the war, and returned a large balance, deducting exactly that which he was entitled to for his services. He told me about a year ago, that although his accounts were all forwarded soon after the peace, he had heard nothing of them since; and laughingly regretted that he had paid over the balance, saying that the *interest* upon it would have maintained his family handsomely until then, and perhaps for years to come--for he had no idea when his affairs would be closed at the department. It is true, there are some checks upon these matters, though the accounts are not settled--but we know by sorrowful experience that they are insufficient to prevent fraud. If the clerks already employed are not enough numerous, it would save us much money, and those who have accounts to settle, great trouble, if a regiment more were set at work;--but those we have, I do not believe, are *really* employed in public business more than *three hours per day* on an average, if for so long a time, except to meet some call of congress for information, or on extraordinary occasions.

If a person does the state some service which from its nature must come before congress, he seems almost justified in making an unreasonable demand, if the case will allow it, on account of the delay that will probably attend its adjustment; and hence, perhaps, it is that congress are so much disgusted with private claims that there is hardly patience enough to listen to those which are most worthy of attention--one wrong always operating to beget the other wrong. I have before mentioned the case of one of my friends who has a claim upon the government, which must be passed by congress, for a large sum of money. That it will ultimately be paid there is no manner of doubt, for there is not the shadow of distrust respecting its justice--the committee to whom it was referred not only reported most favorably, but seemingly went out of their way to compliment this gentleman for his patriotism and good conduct. He has attended upon this business two sessions, a thousand miles from his home, and is now coming a third time--the cost of these journeys, and of his living abroad, will not be less than 5000 dollars--for congress had not *leisure* to act upon the reports of the committee at the last session, though the matter would have consumed less time to give it a *full* consideration, than is sometimes lost in one day, while a silly speaker pauses deliberately to take a drink of water or affectedly nibble an orange; and millions, it may be said, have been voted away with less preparation and ceremony than this worthy man's claims have been presented to congress; who, when they pay him will certainly add the *interest*--not because he has laid out of money justly due to him for several years, but to refund to him the amount of the expense he has been at to recover it! I wish I could believe that this was a solitary case--alas! there are many such.

I shall now briefly mention the matters that led to the preceding train of remarks--

In the REGISTER of April last, vol. XVI, page 107, there is a notice of the case of an auctioneer of Philadelphia, who evidently gave to the relative of a *great man* the modest sum of 1000 dollars per annum for the influence of that "great man" in procuring the appointment of said auctioneer by the governor of Pennsylvania; and now we see in the evidence just presented to a committee appointed to enquire into the conduct of the said governor, that another auctioneer has farmed out his commission for 25 dollars per week and 280 dollars a year, together 1550 dollars per annum—a very snug security.—I have not believed that the governor had any thing to do with these bargains—but it appears to me that, as the facts are notorious, he ought to dismiss both of those auctioneers who have thus *bought or sold* their commissions. If they are worth the sums paid for them, the money ought to go into the public treasury—for it certainly belongs to the public.

With the solitary exception of her maniac banking law (twice gloriously rejected by the departed SENATOR, honored be his memory for his wisdom!) it appears to me that there is as much, if not more, practical good sense in the legislation of Pennsylvania as in any other state. Her motto is "virtue, liberty and independence," and her works are in close affinity with it—many of her laws are ornaments to human nature, and her public institutions have no superiors in point of public utility. Why has she not then swept away this continual subject of intrigue and corruption, the appointment of auctioneers at Philadelphia, by throwing the business open to any one, and every one, who will pay for a license and give the needful security to perform the obligations now imposed on those appointed? What possible injury could arise from this? I cannot apprehend any, except an abridgment of the patronage of the governor can be so considered; and my opinion is, that Mr. Findlay would gladly be released of some part of the onerous load which he now bears on account of appointments, the most unpleasant part, perhaps, of his executive duties. I am pleased with the belief that the legislature of Pennsylvania will not rise without passing a law on this subject, which shall at once give to all men the right of being auctioneers, if they please, on the payment of the state tax, &c. and prevent a recurrence of events disgraceful to the character of the commonwealth.

In the great and magnanimous state of New York too, many unpleasant incidents have taken place. A chief justice of the supreme court and three other persons of high standing, have been openly charged with having received \$5000 each for their votes or influence to get a charter for the bank of America! The judge denies the charge, and has instituted a suit—but a committee of the house of assembly has been raised to examine into it, and whether the charge is true or false it must be considered as a misfortune;—the id a that a person so dignified could be bribed with the paltry sum of 5000 dollars, is derogatory to us all—a libel on the human family; and they who made it will have much to answer for, if they do not substantiate what they have so broadly asserted.

I have nothing at all to do with the local politics of these states—I have never taken the trouble to examine into the merits of the contending parties, and do not think that I ever shall; but it seems evident, that if the people of said states were to set themselves seriously to work to lessen the patronage of their respective executives, they would find much solid benefit and real peace to result from the procedure.

Commissioners of the Sinking Fund

We have a copy of the report of the commissioners of the sinking fund, dated the 5th instant. It makes a pamphlet of 39 pages—but the details, though necessary to those to whom the public affairs are immediately confided, is of very little interest to the people in general, who are satisfied with the results,—which are as follows:

The sum actually disbursed from the treasury, on account of the principal and interest of the public debt, of all descriptions, in 1818, was \$21,354,766 24—of which \$14,753,638 74 was on account of the principal.

The amount in like manner disbursed in the year 1819, for principal and interest, was \$7,721,020 96; chiefly on account of interest, except in part of the Louisiana debt.

On the 21st Oct. 1820, the last instalment of the Louisiana debt, amounting to \$2,216,462 77 will be payable.

It is stated that "in compliance with the act of the 3rd of March, 1817, for the redemption of the public debt, the certificates which, by payment or purchase, have become the property of the United States, are regularly cancelled."

The amount of debt on the 1st of January 1820, is given as follows:

	Dols.	Cts.
Deferred stock, (including the reimbursement for 1819,)	3,048,848	75
Three per cent stock	13,295,915	44
Exchanged six per cent of 1812	2,668,974	99
Louisiana six per cent	2,216,462	77
Six per cent of 1796	80,000	
Six per cent of 1812, (loan of 11 millions,)	6,187,006	84
Six per cent of 1813,	16 do.	15,521,156
Ditto	7½ do.	6,836,232
Ditto 1814	25 & 3 do.	13,011,437
Ditto 1815		9,490,099
Treasury note six per cent stock		1,419,125
Ditto seven per cent		8,595,298
Five per cent stock, (subscription to the bank U. States)		7,000,000
		\$89,370,538 24

To which we add, for the satisfaction of our readers—

	Interest.
The sum of 53,643,092 is at 6 per cent.	3,218,585
13,295,915 at 3	398,877
8,595,298 7	601,950
7,000,000 5	350,000
6,836,232 7½	512,466
	5,081,878

But the payment of the interest on the 5 per cents, is *presumed* to be met by the dividends of the bank in general, though we now have it to pay, because we are not receiving dividends.

*It will be recollected that the bank of the United States *assumed* the payment of the instalment due on the Louisiana debt in October last—i. e. that the bank, finding it inconvenient to pay so much of our own money deposited therein, arranged matters so with the holders of that stock as to defer its payment for three years, the bank paying them the interest therefor. We have desired to know whether the evidences of this debt, as owing by the United States, are cancelled—or whether we are not held as *indorsers* for the bank; and, in case

Attorney General of the U. States.

Letter from the attorney general of the United States, in reply to an order of the house of representatives of the United States of the twenty-eighth ultimo, referring to him a petition of Joseph Wheaton, with sundry documents connected therewith.

*Office of the attorney general
of the United States, 3d Feb. 1820.*

Sir—The order of the house of representatives of the United States, of the 28th January last, that the petition of Joseph Wheaton, and the accompanying documents, together with the report of the committee of claims, of the 6th January, thereon, be referred to the attorney general of the United States, and that he be requested to report his opinion thereupon to this house," was handed me by major Wheaton, (the petitioner,) this evening, together with the documents which are now returned.

The duties of the attorney general's office are specified by our laws, and are confined to the following heads:

1. "To prosecute and conduct all suits, in the supreme court, in which the United States shall be concerned.
2. "To give his advice and opinion upon questions of law, when required by the president of the United States, or when requested by the heads of any of the departments, touching any matters that may concern their departments.
3. "To discharge the duties of a commissioner of the sinking fund."

The attorney general is sworn to discharge the duties of his office *according to law*. To be instrumental in enlarging the sphere of his official duties beyond that which is prescribed by law, would, in my opinion, be a violation of this oath. Under this impression, I have, with great care, perused all the documents which have been handed to me in this case, for the purpose of ascertaining whether the order, with which I have been honored from the house of representatives, falls under either head of my official duties; and it appears to me that it does not. A reference to the law will shew, I think, that this is indisputably clear.

I had the honor to intimate this impression, in answer to the case of major Thomas, referred to me, officially by the house of representatives, in the session of 1818-19, in the hope that, if it was thought advisable to connect the attorney general with the house of representatives, in the character of legal counsellor, which he holds, by the existing law, towards the president and heads of departments, a provision would be made by law, for that purpose. No such provision having been made, and believing, as I do, that, in a government purely of laws, it would be incalculably dangerous to permit an officer to act, under color of his office, beyond the pale of the law, I trust that I shall be excused from making any *official* report on the order with which the house has honored me. It is true that in this case, I should have the sanction of the house for the measure, and it is not less true that my respect for

of its failure to fulfil its engagements, made liable to pay the money a *second* time? A private letter on which we place much reliance, gives us reason to believe, that the evidences of this part of the debt, though *really* paid by the U. States, not yet, in legal phrase, having become "the property" of the U. States—by *possession*, remains uncanceled. See present vol. pages 29 and 191.

the house impels me strongly to obey the order. The precedent, however, would not be the less dangerous, on account of the purity of the motives in which it originated. The maxim is as old, at least, as republican Rome, that *omnia mala exempla ex bonis orta sunt*. On this ground, I assure you, sir, that it gives me more pain to be thus obliged to decline it, than it would give me trouble to make the report; but, in a conflict between my wishes and my sense of duty, there ought to be no question which I should obey.

I may be wrong in my view of the subject; the order may be sanctioned by former precedents; but my predecessors in office have left nothing for my guidance, and I am constrained, therefore, to act on my own construction of the law as it stands.

I have the honor to be, sir, very respectfully, your obedient servant.

WILLIAM WIRT.

South American Affairs.

Our accounts from Buenos Ayres and Chili are generally encouraging. The revenue of Chili is estimated at three millions of dollars per annum; but the government paper it at 25 per cent. discount. There are various unpleasant rumors about the proceedings of admiral Cochrane, and too much reason to believe that he is resolved to make money!

From Venezuela, New Granada, &c. we have interesting news. The great victory gained by Bolivar at Boyaca settled the fate of New Granada, and more than \$3,000,000 in the king's treasury fell into the hands of the patriots, with other spoils of much value. Bolivar immediately organized a provisional government, and the country seems to be finally separated from Spain. Two respectable armies were immediately embodied.

Gen. Bolivar returned from his triumphant campaign to Angostura on the 11th of Dec. and was received with great demonstrations of joy. He was 17 days in passing from Pamplona, in New Granada, to Angostura, in Guayana, a journey that generally occupies 25 or thirty days—he set out for his head quarters at Apure on the 29th, and on the 20th of Feb. expected to be in Caracas with an army of 12,500 men, to drive Morillo and the remnant of his forces to Porto Cabello. But Morillo, inhuman as he is, is a man of wonderful resources, and may yet give the patriots much trouble. He has lately been created a noble by Ferdinand, for the eminent services he has rendered to the royal cause in Venezuela.*

The expedition from Margaritta had not sailed at the date of our last accounts—it was waiting for gen. Devereux, who was expected in all last month. It was thought that on his arrival these forces would proceed immediately to *La Guayra*, to co-operate with the army of the interior.

It is reported that Lima is taken by gen. San Martin—and also that Quito has declared itself independent, and sent deputies to Bolivar, to be admitted into the union of Venezuela and New Granada.

It is stated that Dr. Zea, the vice-president of Venezuela, was about to proceed to the United States as an envoy extraordinary.

[Translated for the Democratic Press.]

FUNDAMENTAL LAW FOR THE REPUBLIC OF COLOMBIA.
The sovereign congress of Venezuela, to whose authority the people of New Granada, lately emancipated by the arms of the republic, have voluntarily submitted, considering

*Count of Carthagen and marquis de la Puerta.

I. That by uniting the provinces of Venezuela and New Granada in one republic, they will have the means of attaining the highest degree of power and prosperity.

II. That if they should remain in separate republics, however great be the bonds that might unite them, yet far from benefiting by so many advantages, it is with difficulty they would consolidate their sovereignty, and cause it to be respected:

III. That these truths, clearly perceived by every man of sound understanding, and genuine patriotism, had excited the governments of both republics to agree to their confederation, which the vicissitudes of war, have heretofore prevented:—

From these considerations of necessity and reciprocal interest; and in conformity with the report of the select committee of the deputies from New Granada and Venezuela—

In the name and under the auspices of the Supreme Being, has decreed and does decree the following

FUNDAMENTAL LAW OF THE REPUBLIC OF COLUMBIA.

Article I. The republic of Venezuela and New Granada shall be, from the present day, united under the glorious title of the *Republic of Columbia*.

II. Its territory shall be those comprehended in the former captain generalship of Venezuela, and the vice-royalty of the new kingdom of Granada, embracing an extent of one hundred and fifteen thousand square leagues, whereof the exact boundaries shall be fixed at a more seasonable opportunity.

III. The debts contracted by the two republics separately, are acknowledged in *solidum*, by this law, as a national debt of Columbia—for the discharge of which, the goods and property of the state are pledged, and the most productive of the revenue shall be destined.

IV. The executive power of the republic shall be exercised by a president, and in his absence, by a vice-president, both to be appointed pro tempore by the president congress.

V. The republic of Columbia shall be divided into three great departments—Venezuela, Quito, and Cundinamarca, which shall comprehend the provinces of New Granada, whereof the name shall be henceforward suppressed. The capitals of these departments shall be the cities of Caracas, Quito, and Bogota.

VI. Each department shall have a superior administration, and a chief magistrate, to be appointed for the present by this congress, with the title of vice-president.

VII. A new city, bearing the name of the Liberator, *Bolívar*, shall be the capital of the republic of Columbia. The plan and site thereof shall be determined by the first general congress, upon the principle of making it suitable for the conveniences of the three departments, and proportioned to the grandeur for which this rich country is destined by nature.

VIII. The general congress of Columbia shall assemble on the first day of January, 1821, in the town of Rosario de Circuta, which in every respect is considered the most suitable place. The convocation shall be made by the president of the republic on the 1st Jan. 1820, who shall also communicate the plan for the elections, to be devised by a select committee, and approved by the present congress.

IX. The constitution of the republic of Columbia shall be formed by the general congress, to whom shall be presented the project of one already decreed; together with the laws enacted by this congress, to be immediately carried into execution by way of experiment.

X. The arms and flag for Columbia shall be decreed by the general congress. In the mean time those of Venezuela shall be employed, as they are known.

XI. The present congress shall dissolve on the 15th January, 1820, in order that the new elections may take place for the congress general of Columbia.

XII. A commission of six members, with a president, invested with special powers to be decreed, shall occupy the place of congress during its recess.

XIII. The republic of Columbia shall be solemnly proclaimed to the citizens and the armies, with public feasts and rejoicings, to take place in this capital, on the twenty-fifth Dec. inst. commemorating the nativity of the *Saviour of mankind*, under whose protection the state has been regenerated by this re-union.

XIV. The anniversary of this political regeneration shall be perpetually celebrated by a national feast, where virtue and talents, as formerly at Olympia, shall be distinguished and compensated.

The present fundamental law for the republic of Columbia, shall be promulgated in the settlements and armies, inserted in the public journals, and deposited in the archives of the Cabildos, municipalities and corporations—whether ecclesiastic or secular.

Given at the palace of the sovereign congress of Venezuela, in the city of St. Thomas of Angostura, on the 17th day of December, A. D. 1819, and in the ninth year of our independence. Francisco Antonia Zea, president of congress; Juan German Roscio, &c. &c.

Palace of the sovereign congress of Venezuela at Angostura, 17th December, 1819.

The sovereign congress decree that the present fundamental law for the republic of Columbia, shall be communicated to the supreme executive power, by a deputation, for the publicity and accomplishment thereof—Francisco Antonia Zea, president of congress. Diego Vallenilla, deputy secretary.

Palace of the government at Angostura, 17th December, 1819.

Ordered to be printed, proclaimed, accomplished and sealed with the arms of the state.

SIMON BOLIVAR.

For his excellency the president of the republic,

DIEGO B. URBANEJA,

Minister of the interior and of justice.

Missouri Question.

DEBATE IN THE SENATE—CONTINUED FROM PAGE 415.

[MR. BERRILL of Rhode Island spoke at considerable length in favor of restricting Missouri, as to the admission of slaves. He said]—"We propose to subject Missouri to no other restriction than, in 1787, was imposed by the 'immortal' ordinance, as the gentleman from Pennsylvania has, with great force and propriety called it, upon the whole North Western territory; a restriction which was readily and freely assented to, under an act of congress, by the states of Ohio, Indiana, and Illinois, and to which the unparalleled growth and happy condition of the first of those fertile and extensive states is, in a great degree, to be ascribed. A restriction, then, the propriety of which is strengthened by a reference to the conduct of the old congress and of the new, of the states and, of the union, ought not hastily to be condemned as unconstitutional. It has often been repeated within doors and without, that our free and happy constitution, in which so many apparent contradictions and jar-

ring interests are reconciled into a strong and harmonious federal government, was, in great part, the fruit of compromise. We have often been reminded, and I shall not soon forget it, that the small states are indebted to this principle of conciliation and compromise, for their equal suffrage in this branch of the national legislature. On such occasions, it is but fair and equal to remind other gentlemen that the same friendly and patriotic principle has given to the slave holding states a representation upon property in the other house, and that the compensation intended to have been made by the apportionment of direct taxes, according to the same ratio, has, owing to the ability or disposition to dispense with such taxes, except in a very few instances, never been received."

[He gave a history of the adoption of the constitution, and said that the word *slaves* was omitted in it because it was hoped that the constitution would endure longer than slavery was tolerated in the United States. Mr. B. argued on the construction of the words "migration and importation"—"there never was, he said, an intention to limit the general superintending power of congress in relation to the intercourse with foreign nations"—hence "migration" must have applied to slaves.]

"Under the administration of Mr. Jefferson, when Mr. Madison, a member of the convention, was secretary of state, congress passed an act, March 26, 1804, (vol. 3, p. 603,) for erecting Louisiana into two territories, one of which was called Orleans, and in regard to Orleans there was enacted, and without (so far as we know) any opposition, important restrictions upon the introduction of slaves. Congress not only interdicted the introduction of slaves from abroad, but they expressly forbade the introduction of any slaves from the old states, which had been imported after May, 1798; and also the introduction of slaves, directly or indirectly, except by a citizen of the United States, removing into the territory for actual settlement, and being, at the time of such removal, bona fide owner of such slave or slaves; otherwise the slave to be restored to his freedom."

[He added, that the right and power of the general government to prevent the further spread of slaves was shewn in the "acts for the admission of Tennessee, April 2d, 1790, and May 26, 1790, though a part of an old state, there is no other reserve, on the part of North Carolina, as to the ordinance of 1787, than this: "That no regulation made by congress should tend to emancipate slaves." At that time there was a general consent and understanding that this pestilence of slavery was not to be farther diffused. But the times are changed, and we are changed with them."]

"Mr. President, said Mr. Burrill, gentlemen attempt to alarm our fears by calling this motion an infringement of the independence and sovereignty of the individual states. I know very well the magical force of certain words, and that, though they may not be potent to call up spirits from the vasty deep, they are sufficiently so to alarm prejudice and excite jealousy. But after all, sir, in what does the sovereignty of the states consist? They surely cannot make war, or peace, or alliances, or raise armies, or build navies, or make any thing but gold and silver a tender in payment of debts, or impair the obligation of contracts, or regulate trade; in short, they can hardly do any one of those things which sovereign princes, or emperors, or republics may do, and which congress may do. It is clear then, notwithstanding the majesty of these words, that these states are limited sovereignties, and that the

supremacy is vested by the people of these United States in the federal government."

"Congress may admit new states, but are not obliged to admit them. If Missouri accepts these terms, for there are various terms and conditions in the bill reported, besides the one proposed in the amendment, she is bound by the compact, by the constitution, in the same manner as Ohio is bound, and can no more complain of injustice or oppression, than Ohio can."

[As restrictions on Louisiana he noticed that she was bound not to impose a toll on the passage of the Mississippi—whereas, Pennsylvania and New Jersey, as to the Delaware, or New York, as to the Hudson, had not renounced their rights over these rivers. That Louisiana had been compelled to establish the right of habeas corpus, the trial by jury, and to keep her records in the English language, &c.]

Mr. Burrill next took up the treaty of cession, by which the inhabitants of Louisiana were to be incorporated into the union, according to the principles of the constitution—the true meaning of which was that the people thereof should enjoy all the political rights as if they had been native born citizens of the U. S. &c and he contended that, with a provision to prevent the further introduction of slavery, they would be admitted according to the agreement.]

"Congress, said Mr. B. after having acquired the province of Louisiana, either by conquest or purchase, are to govern it under the constitution and the laws as they govern other territories. They seem indeed to have a more complete sovereignty over this than over a territory ceded by the old states, for this was acquired, not by cession of an old state, in which case it might stand in the relation of an old state, but was acquired by cession from a stranger; it therefore belongs to the United States in their federal and sovereign character, and was not in the contemplation of the people of the United States when the constitution was formed.—It would follow, then, that though they are to be admitted into the union upon an equality as to federal rights, yet that congress have a right to impose conditions upon their admission, not inconsistent with that federal equality. We may add to this, that the United States are the owners of all the ungranted lands, and, as lords of the soil, have a right to secure their property and prevent the depreciation of its value.

"With a few remarks upon the very difficult and dangerous subject of expediency, I shall be satisfied to leave the question to the discussion of the able gentlemen who follow me. This field is almost boundless. Which ever way we turn our eyes we are struck with new evidences of its extent and importance. The question is no less than this: Whether the unexplored and almost interminable regions beyond the Mississippi are hereafter to be filled with a race of free white men, or whether they are to be cultivated by slaves, and blackened with their continual increasing progeny? I am not only averse to a slave population, but also to any population composed of blacks, and of the infinite and motley confusion of colors between the black and the white. And yet to such a population do we inevitably doom this territory, if this restriction is to be rejected."

[He next contended that the compromise by which three fifths of the slaves were to be included in the apportionment of representatives, applied only to the states then existing, and that it was neither just or expedient to extend the principle. The

internal slave trade was then adverted to and deprecated, and he said that many would be introduced through the Spanish possessions.] "We have been told that this restriction will 'pen up' slavery in the old states, and that, if we believe slavery to be so great an evil, we ought to consent to mitigate it by diffusion. Mr. President, the evil may thus be extended, but it cannot thus be cured. The time must one day arrive when, however extensive are the slave countries, they will all be too full.—We may avert the most fatal calamities by limiting slavery within its present bounds, but if extended much beyond them, the consequence may defy all human power."

He concluded as follows—"Sir, I should contradict my own experience, in this house and in private life, were I to affix to the character of those who hold slaves the general charge of cruelty, or even indifference to the rights of men. I have often been engaged in the discussion, in the senate, of the best means of preventing the African slave trade, and have always found the gentlemen of the south and west ready, zealous, and cordial in their co-operation. Most of these gentlemen consider slavery, as it now exists in our country, as an evil, and so considering it, I would appeal to their good sense and their good feelings, whether they ought not to unite zealously in every measure which is calculated to prevent its extension. Diffusing it over Missouri will not lessen it in their states; the evil, as all our statistical tables abundantly prove, will increase, and may at last swell to a size and a strength which will despise and deride all attempts at control or regulation."

[Mr. Macon, of North Carolina, succeeded and said]

"He agreed with the gentleman who declared this to be the greatest question ever debated in the senate, and that it ought to be discussed in the most calm and cool manner, without attempting to excite passion or prejudice. It was, however, to be regretted, that, while some of those who supported the motion were quite calm and cool, they used a good many hard words, which had no tendency to continue the good humour they recommended. He would endeavor to follow their advice, but must be pardoned for not following their example, in the use of hard words; if, however, one should escape him, it would be contrary to his intention, and an act of indiscretion, not of design or premeditation; he hoped to examine the subject with great meekness and humility."

[Mr. Macon pronounced an eulogium on the constitution—"it has stood the trial of trouble and war, but it was not to be tried in a time of universal peace, whether a government, within a government, can maintain itself and preserve the liberty of the citizen."]

"The amendment, said Mr. Macon, is calculated to produce geographical parties; or why admonish us to discuss it with moderation and good temper. No man who has witnessed the effects of parties nearly geographical, can wish to see them revived. Their acts formerly produced uneasiness, to say the least of them, to good men of every party. General Washington has warned us against them; but he is now dead, and his advice may soon be forgotten; form geographical parties, and it will be neglected. Instead of forming sectional parties, it would be more patriotic to do them away. But party and patriotism are not always the same. Town meetings and resolutions to inflame one part of the nation against the other, can never benefit the people, though they may gratify an individual. A majority

of them want things right. Leave them to form their own opinions, without the aid of inflammatory speeches at town meetings, and they will always form them correctly. What interest or motive can the good people of one part of the country have, for meeting and endeavoring to irritate those of another? No town meeting was necessary to inflame or inflame the public mind against the law giving members of congress a salary instead of a daily allowance. The people formed their own opinions, disapproved it, and it was repealed. So they will always act, if left to themselves. Let not parties, formed at home for state purposes, be brought into congress, to disturb and distract the union. The general government hitherto has been productive enough of them, to satisfy those who most delight in them, that they are not likely to be long wanted in it. Enough, and more than enough, has been produced, by the difficulty of deciding what is, and what is not, within the limits of the constitution. And, at this moment, we have difficulties enough to scuffle with, without adding the present question. The dispute between the bank of the United States, and those of the states; the want of money by the government and the people, not in a condition to increase the taxes, because more indebted at home than they ever were; and the dispute with Spain, might serve for this session. But the beginners of these town meetings may be like the beginners of the addresses of old—want office. If this should be the case, the government is too poor to gratify them. It is more easy to inflame the public mind, than to quiet it when inflamed. A child may set the woods on fire, but it requires great exertions to extinguish it. This now very great question, was but a spark at the last session."

[He next said, that all the states have equal rights—those of the new being the same as the old, why make Missourian exception? "In every free country that ever existed, the first violations of the principles of the government were indirect, and not well understood, or supported with great zeal by a part of the people." Louisiana had been admitted "as a full sister, but Missouri was to be treated as a step daughter." After some general remarks on this subject, Mr. M. said:]—

"A wise legislature will always consider the character, condition, and feeling of those to be legislated for. In a government and people like ours, this is indispensable. The question now under debate demands this consideration. To a part of the U. States, and that part which supports the amendment, it cannot be important, except as it is made so by the circumstances of the times. In all questions like the present, in the U. States, the strong may yield without disgrace, even in their own opinion; the weak cannot; hence, the propriety of not attempting to impose this new condition on the people of Missouri. Their numbers are few, compared to those of the whole United States. Let the United States then abandon this new scheme; let their magnanimity and not their power be felt by the people of Missouri. The attempt to govern too much, has produced every civil war that ever has been, and will, probably, every one that ever may be."

[He did not say that the people of Missouri would resist the restriction, but thought it might be apprehended that they would, and he spoke at length of the consequences of a civil war. &c.]

"Opinions, (said Mr. Macon) have greatly changed in some of the states, in a few years. The time has been, when those now called slave-holding

states, were thought to be the firm and steadfast friends of the people and of liberty. Then they were opposing an administration and a majority in congress, supported by a sedition law; then there was not a word heard, at least from one side, about those who actually did most towards changing the administration and the majority in congress, and they were from slave-holding states. And now it would be curious to know how many members of congress actually hold seats in consequence of their exertions at the time alluded to. Past services are always forgot when new principles are to be introduced.

"It is a fact, that the people who move from the non-slave-holding to the slave-holding states, when they become slave holders by purchase or marriage, expect more labor from them than those do who are brought up among them. To the gentleman from Rhode Island (Mr. Burrill) I tender my hearty thanks for his liberal and true statement of the treatment of slaves in the southern states. His observations leave but little for me to add, which is this, that the slaves gained as much by independence as the free. The old ones are better taken care of than any poor in the world, and treated with decent respect by all their white acquaintances. I sincerely wish that he and the gentleman from Pennsylvania, (Mr. Roberts,) would go home with me, or some other southern member, and witness the meeting between the slaves and the owner, and see the glad faces and the hearty shaking of hands."

[Speaking of the condition of the emancipated negroes, he said]

"Before the question be taken on the motion, I should be very much obliged to any one of the gentlemen from the non-slave-holding states, who would frankly state the condition of the blacks in the state he represents, especially their condition in the large cities; whether the whites and the blacks intermarry. If they do; whether the whites are not degraded by it—whether the blacks are in the learned professions of law and physic, and whether they are not degraded. If they be degraded, where there are so few, what will be the consequence when they are equal in number or nearly so to the whites? Every one will decide this for himself. It may be stated without fear of contradiction, that there is no place for the free blacks in the United States—no place where they are not degraded. If there was such a place, the society for colonizing them would not have been formed; their benevolent design never known. A country wanting inhabitants, and a society formed to colonize a part of them, prove there is no place for them."

"Some of the arguments used in the present debate convey to my mind the impression that it was thought the owning of slaves enervated and enfeebled the owners. Let the history of the revolution and of the late war be examined, and nothing like it will be found. Facts enough might be stated to prove it was not so—two only will be mentioned. The battle of King's Mountain and that of New Orleans. But on this subject, I will, with permission of the senate, read a part of the speech of that celebrated master of the human character, (Mr. Burke) on his motion for reconciliation with the colonies, delivered in 1775—his language is this: "Sir, I can perceive by their manner, that some gentlemen object to the latitude of this description; because in the southern colonies the church of England forms a large body, and has a regular establishment. It is certainly true. There is however a circumstance attending these colonies which, in my opinion, fully counterbalances this difference, and makes the spi-

rit of liberty still more high and haughty than in those to the northward. It is, that in Virginia and the Carolinas, they have a vast multitude of slaves. Where this is the case, in any part of the world, those who are free, are by far the most proud and jealous of their freedom." To this, I will not attempt to add a word. No man can add to Mr. Burke. Mr. M. said he intended to have read the part in which the character of New England is given; it is equally honorable and equally true; but he was so much exhausted, he would omit it. The whole speech is well worthy of being read on this occasion."

[Mr. Macon then proceeded to notice what was said by several gentlemen opposed to him—he observed] Mr. Morrill had said "that the constitution was a compromise as to slaves." This, no doubt, is true; but not a compromise to emancipate. The states that held them could free them as others had done, without asking or consulting the convention or congress. But it was a compromise as to representation, and nothing else. He has also said, slavery was a curse, and has read a part of Mr. Jefferson's notes on Virginia, to prove it. But what ought surely to be inferred from Mr. Jefferson's notes and life is, that he thinks slavery a curse, but thinks it a greater curse to emancipate in his native Virginia. His democracy, like that of his great countrymen who have been before mentioned, appears to be of the white family. Both the gentlemen have stated that the slaves are represented. Are not the blacks every where represented? Emancipate them and they stay where they are; and two-fifths of their number will be added to the representation, tho' they are not permitted to enlist in our army."

"It has often been stated, that the law establishing a territory in Louisiana, prohibited the carrying of slaves there, unless the owner moved with them. This provision in the law was made and intended to prevent the carrying Africans there—one of the states having opened her ports for the African slave trade about the time. But, with all the sins of holding slaves, we have not that of going to Africa for them. They have been brought to us by the citizens of the states which hold none. The only time, in congress, that I ever heard the slave trade defended, was by a member from the same state with the gentleman from Rhode Island, (Mr. Burrill.)

"Why not leave the people of Missouri exactly as the other territories have been left, free to do as they please? A majority of them have moved from the states, and understand self government."

[After this Mr. Macon argued upon the points of the constitution so much referred to in the debate, and concluded as follows:]

"It is to be regretted, that, notwithstanding the compromise made in the constitution about slaves, gentlemen had thought proper, at almost every session, to bring the subject before congress, in some shape or other, and that they regularly, in their arguments, claim new power over them. What have the people of the southern states done, that such a strong desire should be manifested to pen them up? It cannot be because their representatives have uniformly opposed the African slave trade, or because they as uniformly opposed the impressment of American sailors by British officers; or because their banks are drained of specie to supply other places, and the revenue collected from them is not spent among them; or because they have been so tolerant in politics that when Mr. Jefferson came into office, their opponents, who had

every office, were not turned out—a proof that they did not oppose them for their places of honor or profit, or because they have been willing to admit new states into the union without regard to the number of people;—Ohio will remember, the speeches of southern members were printed to induce her citizens to become a state—or because they have never requested congress to tax others for their benefit; or because they have not abused the late pension law, but have at all times been obedient to the laws of the United States and of the states, never giving cause for uneasiness or alarm to the United States or the neighboring states, and, at all times which tried men's souls, have been found good and true; or because, in old times, they opposed the shutting of the Mississippi for 25 years,

"If the decision be in favor of the amendment, it may ruin us and our children after us; if against it, no injury will result to any part of the United States. Let it be what it may, my prayer to God shall be, that it may benefit the nation and promote the happiness of the people, and that the union of these states, and the constitution, may be as lasting as the Alleghany."

¶ In the course of his speech, Mr. Macon introduced the following extract from the history of gen. Moultrie—

"On my way from gen. Marion's to gen. Green's camp, my plantation was in the direct road, where I called and staid a night. On my entering the place, as soon as the negroes discovered that I was of the party, there was immediately a general alarm, and an outcry, 'that massa was come! massa was come!' and they were running from every part, with great joy, to see me. I stood in the piazza to receive them: they gazed at me with astonishment, and every one came and took me by the hand, saying, 'God bless you massa! We glad to see you, massa!' and every now and then some one or other would come out with a 'ky!' and the old Africans joined in a war song, in their own language, of 'welcome the warrior home.' It was an affecting meeting between the slaves and the master: the tears stole down my eyes, and run down my cheeks. A number of gentlemen that were with me could not help being affected by the scene. Many are still alive, and remember the circumstance. I then possessed about two hundred slaves; and not one of them left me during the war, although they had had great offers, nay, some were carried down to work on the British lines, yet they always contrived to make their escape and return home. My plantation I found to be a desolate place; stock of every kind taken off; the furniture carried away; and my estate had been under sequestration."

¶ We are here suddenly stopped short in the course which we intended to pursue, having expected in this place to have given Mr. Pinkney's speech in extenso, and to have concluded our notice of the debate in the senate with that of Mr. Otis. By the following article from the National Intelligencer of Monday last, it is most probable that Mr. Pinkney's speech will not be published; of course we shall not insert Mr. Otis's at this time, because he spoke chiefly in reply to Mr. P.

The publication of the debate on the same subject in the house of representatives will soon be commenced—out of the vast mass of matter delivered and delivering, we shall select a few entire speeches and let the rest pass unnoticed.

"The debate on the Missouri question yet continues, with unabated ardor, in both houses of congress. In the publication of the senate debate we have arrived to the speech of Mr. Pinkney. At the

time that speech was made, our reporter was prevented from attending by indisposition. As no part of Mr. P's speech was taken down by a writer of shorthand, and he has not been able himself to assist us with any sketch of it, (although it is believed he will very soon do so,) we are compelled, for the present, to omit any account of it, but may take a future opportunity to insert it in our paper. The speech of Mr. Otis, the next in the order of succession after that of Mr. Pinkney, will appear in our next.

Nat. Int.

¶ The merits of the Missouri question seems to be in full debate again before the senate—which, as we do not believe that any good can arise from a further discussion *if it, we had hoped it was for this time at rest.

¶ The following letter has been addressed by the two senators and one of the representatives from Delaware to the speaker of the senate of that state. Mr. Hall, the other representative, is believed to be favorable to the restriction—

WASHINGTON, FEB. 12, 1820.

SIR—We have received a copy of the resolution passed by the senate and house of representatives of the state of Delaware, on 15th January last, declaring, "That it is, in the opinion of the general assembly, the constitutional right of the U. States, in congress assembled, to enact and establish as one of the conditions for the admission of a new state into the union, a provision which shall effectually prevent the further introduction of slavery into such state, and that a due regard to the interests of such state as well as of the other states, requires that the same should be done."

That expression of the opinion of the legislature, upon the important question now under discussion in congress, connected with the proposed admission of Missouri, as a new state, into the union, has been considered, with all that deference and respectful attention to which it is justly entitled. The most deliberate examination of the subject, connected with the constitution of the U. States and the treaty of cession by which that territory was acquired, has resulted in a sincere and firm conviction in our minds, that congress does not possess the power to impose such a restriction upon the people of Missouri, in the formation of their state constitution. It would certainly be more gratifying to us to vote on this or any question conformably to the opinion of the legislature, if we could so consistently with a conscientious discharge of duty; but under our present convictions that it is not in our power in this instance, we trust that the legislature, in their candour, will duly appreciate our motives in the discharge of a painful duty, and that we shall stand excused for expressing an opinion upon the subject different from that stated in the resolution.

We have the honor to be, very respectfully, sir,
your most obedient servants,
N. HADYKE,
O. HORSEY,
L. M'LANE.

CALPH RONNEY, esq. speaker
of the senate of the state of Delaware.

GEN. HARPER'S SPEECH.

¶ In the legislature of Maryland, when the resolution which passed the house of delegates, requesting the senators and representatives for this state to use their utmost endeavors to secure the admission of new states, without restriction as to slavery, &c. was before the senate, on the 19th ult. Gen. Harper rose and addressed a long speech to that body, which is published in the "Federal Ga-

rette" of the 7th, 9th and 10th inst. The following brief abstract of it may interest some of our readers.

Mr. Harper proposed to modify the resolution so as to confine its purpose to the admission of Missouri, only. He thought it unwise to assert general principles, and incorrect to say that new states should be admitted without restricting them in the exercise of their sovereign power. All the new states, except Vermont, had been admitted on conditions, which rested on the same principle as that now attempted to be imposed on Missouri, and he would not consent to any measure that might tend to weaken or embarrass the constitutional powers of congress. Still he thought it inexpedient to extend this power of congress to Missouri.

He then made a strong argument on these words of the constitution of the United States.—"new states may be admitted," to shew that "may" left the admission wholly at the discretion of congress---to admit or refuse. He next combated the idea, that if a state is admitted it must be admitted in full sovereignty, and asked "can it be said that a nation or government ceases to be sovereign, because it binds itself by treaty, that is by compact, to abstain from doing certain things?" "The Deity himself may impose restrictions on his own power. His infinite power is restrained in its exercise by the attributes still more divine, of infinite goodness and infinite justice. He cannot do a cruel or an unjust thing. Is he therefore the less omnipotent? And are the United States the less sovereign, because they bind themselves by treaties, and observe them through a sense of justice and good faith?" Missouri is to come into the union by compact—if the parties agree, they so far act as sovereigns; if they disagree, one recedes, the negotiation fails, and things remain as they were. He said the uniform practice of the government had conformed to this theory. Mr. Harper then referred to the country north west of the Ohio, and gave the history of its cession, and the restrictions which were imposed on it. Congress was the sovereign and had a right to impose these restrictions. It was true, their ordinance did not bind Ohio, Indiana and Illinois, after they became states—but their assent to that ordinance, *by which only they became states*, was imperative—still none of these states, on account of these restrictions, would admit that they were less sovereign, or inferior, to the original states.

Having, as he thought, established the principle that congress has the power to impose the contemplated restriction, and that without impairing the sovereignty of Missouri, he went at great length to shew the inexpediency of imposing it. He believed that the permission to hold slaves in Missouri, would rather mitigate the evils of slavery than increase them. He said the whole amount of the increase of slaves would be the same for two centuries to come, whether they were excluded from Missouri and Arkansas, or not.

The effect of what is "inaccurately termed the slave representation" in congress was next noticed by Mr. H. He said it was a "territorial representation, in the adjustment of which the number of slaves was adopted as the most convenient regulation." The same idea occurred in the constitution of Maryland, in which all the counties had an equal representation, and he thought this was right:—a mere numerical representation would often act most unjustly!—He then mentioned Philadelphia, New York, *Baltimore* and *London*, saying that if they were represented by numbers, they would govern the states, &c. Mr. Harper spent much time in this branch of his argument, and attempted to shew

that there was no cause of alarm to the non-slaveholding states, because their power of representation increased faster than that of the slaveholding states. After the census of 1790, the seven slaveholding states had forty-eight representatives, and the eight non-slaveholding states fifty-seven—but by the last census, the same seven slaveholding states have sixty-two, and the same eight non-slaveholding states ninety-seven. "The result, he said, may create some uneasiness in the southern states, who thus see the defences erected for their local interests and rights, in the territorial representation, crumble and waste away; but what just cause of alarm it can afford in other sections of the union, he could not perceive." He then took a geographical view of the different sections of our country, to shew that the part of it in which slaves were held was less capable of a dense population than the other parts, &c.*

Mr. Harper then adverted to the alarm, about the increase of slaveholding states, as to power in the senate. More slaveholding than non-slaveholding states, he admitted, had been added to the union—but he said only *two* more could be added from our present territory—Missouri and Arkansas; whereas Maine, Michigan and two others, north of the Ohio and east of the Mississippi, might be expected to follow on the other side. He spoke of the territory west of the Mississippi—it was of great extent, but very little of it fit for cultivation; to be inhabited by a new race of Calmucks, wandering over it with their herds—or a few hunters seeking for game, &c. He said there was room only for three states of a moderate size within the limits where slaves could be profitably employed—Louisiana, Missouri and Arkansas; and Missouri, he thought, would not long be a slaveholding state, let the present question be decided either way.

He thought that as congress had the power to prevent the introduction of slaves into this country, immediately after its cession, it should have done so, rather than forbid it now. The refusal to act on the case had invited emigrants to proceed thither with their slaves.

Mr. Harper concluded with shewing the necessity of a dispersion of the slave population, which he thought was needful to the safety of the whites—and said that though very few slaves would be removed to Missouri, such removal would tend to mitigate an evil which we cannot cure.

Statistical Articles.

Longitude, &c. La Barronne de Paris Boisrout-vray, has arrived in England from Paris, charged with a commission to present to the Admiralty Board, a theory of the compass, which gives the longitude and latitude of the globe, for the discovery of which the whole world has so long looked. The husband of the lady has submitted his theory

*I do not wish at this time to make any remarks upon the principles contended for by Mr. Harper, but must express my surprise at his not knowing that Philadelphia and New York are represented according to population—though *Baltimore* and *London* are not.

The people of every state in the United States, whether resident in town or country, are represented according to population, except in Delaware, Maryland, Virginia and North Carolina; and so they ought to be—or else it is false that every freeman has an equality of rights. [Ed. Rev.]

to the academy at Paris. His wife's mission to London was to prevent delay, as well as to have a trustworthy agent.

AMERICAN SILK. A gentleman at Natchez, was so polite as to communicate the following article, which he copied from a file of the "Pennsylvania Packet" for 1787.

"*Baltimore, April 3.*"

"In the year 1757, 1052lbs of new silk balls were received at the Filature in Georgia, and the next year produced no less than 7040lbs thereof; in 1759 there were received at Savannah considerably above 10,000lbs, although the season was not favorable—at present the manufacture is disregarded, the house called the Filature in a state of decay and of no use, but to serve sometimes as a theatre for strolling players.

Sewing Silk. At the cattle show and display of manufactures in Cayuga county, N. Y. Saml. Chidsey, of Scipio, received a premium for the best pound of sewing silk, of various colors, pronounced to be equal to imported. "We believe (says the Cayuga Republican) this to be the most successful attempt to propagate the silk-worm in our country; and it is evident from the experience of our esteemed member Samuel Chidsey, that the white mulberry and silk-worm thrive well in our climate." [The editor of the Aurora has in his possession, a piece of wrought silk, which was produced from the silk of the native American worm, collected by doctor Franklin, before the revolution, and the whole process conducted under his own direction: the cocoons reared, and the worms fed with the white mulberry planted by himself; a piece for a dress was presented to the English queen, and another dress was made out of the same product, for his daughter, the late Mrs. Sarah Bache.]

Maryland. From the "Pennsylvania Packet," of 1787, under the Baltimore head, dated April 13.

"In the year 1780, the property of the state of Maryland was then estimated by the house of delegates, to amount to 115,389,079 specie; in the year 1781, to 112,681,581 0 43; in 1782, to 11,747,493 5; and in the year 1783, to 111,371,615 5 1. The civil list in 1783, amounted to 16,250.

☞ The valuation of property in the state of Maryland in 1813, as finally settled by the assessors of the direct tax, was 122,577,572 dollars—of which amount the city and county of Baltimore was rated at 31,275,309 dollars—one fourth of the whole. See Weekly Register, Vol X. p. 103.

City of New-York. By a report of a committee of the city council, it appears, that the whole city debt at the close of the next year, will amount to \$1,300,000. Including the repayment of certain temporary loans, amounting to \$302,705, the money required for city purposes in the present year, will amount to about \$359,000, to be raised by rents, licenses, docks, &c. \$112,000; taxes \$250,000; the balance by loans,

British navy list. The recent list of the British navy, including the promotions, enumerates the following officers;

Admiral of the fleet 1.

Admirals of the Red 21; White 21, 1 employed; Blue 21, 1 employed.

Vice-admirals of the Red 21; White 23, 1 employed; Blue 23, 1 employed.

Rear-admirals of the Red 24, 4 employed.

White 23, 4 employed; Blue 24.

Superannuated Rear-admirals 31.

Superannuated and retired captains 30.

Captains 838, 57 employed—commanders 781, 51 employed—superannuated commanders 100—

lieutenants 3859, 397 employed—masters for service 612, 134 employed—physicians 15—surgeons for service 894, 107 employed—assistant surgeons 353, 153 employed—dispensers of hospitals 18—hospital mates 6—pursers 857, 110 employed—chaplains 56, 20 employed, Ships of various descriptions in commission 137.

Venezuela. A Kingston, (Jam.) paper, of the 27th November, contains the following interesting statement:

"We have often reverted to the desolating ravages of the war in the province of Venezuela. The statement now subjoined, exhibits a melancholy account of the dreadful destruction which has taken place during the few years past. The Caracas Gazette some time since published an enumeration of the population of that province, at intervals of six years; in order to show the fatal effects of the revolutionary war, now carried on there.

"The province of Caracas in 1809, contained 420,000 inhabitants; at this day, more than two-fifths have perished

"In 1810, the city of Caracas numbered 31,813 souls; in 1816 they had decreased to 20,408; and they still diminish in number.

"The town of Calabozo in 1810 contained 3,788 persons; in 1816, only 1860.

"Villa de Cura, Victoria, La Guayra, and other towns have suffered in the same proportion.

The writer computes, besides, that the following places have lost—

	souls.
Island of Margarita,	5,000
District of Barcelona,	12,000
Cumana,	15,000
Barinas,	12,000
Maracaybo,	6,000
Coro,	4,000
	54,000

Two-fifths of the population of the province of Caracas as stated above, 168,000

Total number of souls who have perished by the sword, famine, and earthquakes, in the captain generalship, since the year 1810, 222,000

"Four hundred youth were studying in our college, and would have been one day the ornament of the country, and in part have held her destinies in their hands. There are not now one hundred in the college, and many of them are but just learning letters. Most of the four hundred were dragged by the triumvir Rivas, from their studies, and perished in November, 1813, on the mountains of Virgima.

"Of the many musicians that Caracas possessed, four only remain. There were fifty seven lawyers in the city in 1810 and there are now but twenty-four. There then existed thirty eight physicians, and only twelve now remain."

From Degrand's report. A law enacted by congress, is binding from the day of its passage, unless the law itself mentions to the contrary.

Thus, for most of our laws, a judge of the U. S. courts, is bound to conform to them while sitting in Portland, four days at least before the law has come to his knowledge. By the same absurd rule, the rights between individuals, as well as those between the government and individuals, are to be settled in Louisiana, according to laws which will not be known there, till twenty days after the contracts are made.

It is said that Nero posted up his edicts so high and in such small print, that they could not be read: and then punished his subjects for violating those edicts.

Maryland penitentiary. Amount of prisoners, 237 males, 56 females. Employed as follows—men, 50 at weaving, warping, &c.—47 cordwaining, 32 hutting; 23 sick and invalid; 18 brushmaking; 14 combmaking; 11 sawing stone; 6 dyeing; 5 smithing—the rest at tailoring, painting, cooking, turning, nursing, &c. Females, 14 at carding and spinning; 9 at knitting; 8 at sewing; 9 at washing; the rest at house work, binding hats, jobbing, &c.

Jamaica. Exports for the year ending 29th September 1819—Sugar 108,305 hhds 11,450 tierces, 3244 bbl—rum 43,946 puncheons, 1615 hhds 302 casks, 1558 bbls—molasses 253 casks—ginger 1714 casks; 718 bags pimento, 882 casks, 24,500 bags, coffee 14,091,983 lbs.

At the opening of the house of assembly, Jamaica, Dec. 20, the governor stated that the number of slaves on the poll tax was 326,938.

New York. Brief abstract of the annual report of the comptroller: The funds of the state exclusive of those appropriated to the support of common schools and the promotion of literature, amount to \$3,590,751 51.

The state owns 970,000 acres of land.

The present annual revenue is \$701,704 60.

There remained in the treasury on the 30th Nov. 1819, \$108,797 86—of which there belonged to the school and literary fund, &c. 76,164 49, leaving a balance for general purposes of \$32,633 37.

The expenses of the state for 1820 are estimated at \$433,300; the ways and means at 513,837 99, independent of what may be received of the U. S. for expenses incurred during the late war.

The public debt, exclusive of the canal loan, amounts to \$1,730,000.

The state holds 24,470 dollars in the notes of banks that have failed to pay specie—a part of which is secured.

The revenue of the school fund is estimated at \$78,944 56. By a law of the state, the sum of 80,000 is to be annually distributed for the support and encouragement of common schools.

The duties to the state arising from auctions amounted to 144,144 13, of these duties 22,500 are appropriated to the New York hospital, 10,000 for the support of foreign poor, 500 to the economical school in N. York, 500 to the orphan asylum, and the remainder to the canal fund.

The fund appropriated by the state for common schools amounts to \$1,229,076—those for the promotion of literature, to \$132,529 41.

CONGRESS.

IN THE SENATE.

February 11. A bill to renew the charter of the city of Washington, was introduced and passed to a second reading.

The senate resumed the consideration of the Maine bill, and the amendment reported thereto by the judiciary committee (adding provisions for the formation of a state government in Missouri.)

Mr. King, of New York, agreeable to the intimation which he gave on Wednesday, rose and addressed the senate about two hours in support of the right and expediency of restricting the contemplated state of Missouri from permitting slavery therein; and on motion of Mr. Smith, the subject was postponed to Monday; to which day

The senate adjourned.

February 14. Mr. Dickerson offered the following resolution:

Resolved that the president of the United States be requested to cause to be laid before the senate,

abstracts of the bonds or other securities given under the laws of the United States, by the collectors of the customs, receivers of public moneys for lands, and registers of public lands, paymasters in the army, and pursers in the navy, who are now in office, or who have heretofore been in office, and whose accounts remain unsettled; together with a statement of such other facts, as, in his opinion, may tend to shew the expediency or in expediency of so far altering the laws respecting such officers as there may hereafter be appointed for limited periods—subject to removal, as heretofore.

Several reports and private claims were postponed to future days; and

The senate then again proceeded, in committee of the whole, Mr. Dickerson in the chair, to the consideration of the *Missouri question*.

Mr. Smith, of South Carolina, rose in opposition to the right and expediency of restriction, and in reply to Mr. King, of New York, and spoke nearly three hours.

Mr. Lloyd, of Maryland, followed on the same side, and also in reply to Mr. King, and spoke nearly an hour.

Mr. Pinkney obtained the floor for to-morrow and then

The senate adjourned.

February 15. The resolution offered by Mr. Dickerson, was postponed until to-morrow.

After disposing of several petitions,

The senate resumed the consideration of the Missouri subject.

Mr. Pinkney, of Maryland, rose and addressed the senate nearly three hours against the restriction, and in reply to the remarks of Mr. King, of New York. When he had concluded, the subject was postponed, on motion of Mr. Otis, and

The senate adjourned.

February 16. Mr. Leake, from the committee on Indian affairs, in pursuance of the resolution offered by Mr. Johnson of Kentucky, on the 12th ult. made a report on the subject, accompanied by a bill for the better regulation of the trade with the Indian tribes.

Mr. Trimble laid before the senate certain resolutions of the legislature of Ohio, concurring in the amendment proposed to the constitution of the U. States by the legislature of Pennsylvania, to restrict congress from establishing a bank or branches of a bank, or other monied institution, out of the limits of the District of Columbia; which were read.

Mr. Horsey gave notice that he should on to-morrow ask leave to introduce a bill to continue the present charter of Washington city (which expires on the 3d of March) to the end of the present session of congress.

The resolution offered by Mr. Dickerson on Monday, was taken up and agreed to.

Mr. Johnson, of Louisiana, submitted the following resolution for consideration:

Resolved, That the committee on naval affairs be instructed to enquire into the expediency of providing by law for the purchase of a sufficient number of fit vessels to protect the commerce of the U. States in the Gulf of Mexico, and to prevent smuggling on the coast of Louisiana.

The senate then resumed, as in committee of the whole, Mr. Burrill in the chair, the consideration of the new states bill.

Mr. King, of New York, again rose and spoke more than one hour in support of the opinions which he had previously advanced on the right and expediency as to restricting Missouri as to slavery.

and in answer to the gentlemen who had replied to his previous remarks.

Mr. Logan, of Kentucky, followed, and spoke a short time in reply to Mr. King.

Mr. Smith, of S. C. also spoke about half an hour in reply to Mr. King.

Mr. Lloyd likewise spoke a short time in reply to Mr. King.

Mr. King, of N. Y. Mr. Pinkney, Mr. Barbour, and Mr. Mellen, respectively added a few remarks; when

The question was taken on concurring in the amendment reported by the judiciary committee (to unite the Maine and Missouri bills in one bill) and decided in the affirmative by yeas and nays, as follows:

For uniting the bills.—Messrs. Barbour, Brown, Eaton, Edwards, Elliot, Gaillard, Johnson, of Ky. Johnson, of Lou. King, of Ala. Leake, Lloyd, Logan, Macon, Pinkney, Pleasants, Smith, Stokes, Taylor, Thomas, Walker of Alab. Walker of Geo. Williams of Miss. Williams of Ten.—23.

Against uniting the bills.—Messrs. Burrill, Dana, Dickerson, Horsey, Hunter, King of N. Y. Lanman, Lowrie, Mellen, Morrill, Noble, Otis, Palmer, Parrott, Roberts, Ruggles, Sanford, Tichenor, Trimble, Van Dyke, Wilson.—21.

Mr. Thomas, of Illinois, then offered an amendment to the Missouri branch of the bill, proposing, in substance, to prohibit slavery in all the territory beyond the Mississippi, north of 36 1-2 degrees north latitude, *excepting within the limits of the proposed state of Missouri.*

Mr. Barbour of Va. moved to amend the amendment by striking out 36 and a half degrees, and inserting, as the line, north of which slavery should hereafter be excluded, the *fortieth* degree of north latitude.

The motion was supported by the mover, and opposed by Mr. Edwards, of Illinois: and after a short discussion,

The motion was negatived—three or four only rising in favor of it.

Mr. Eaton then offered, as a substitute for Mr. Thomas's amendment, a section prescribing the same limits beyond which slavery shall not be allowed, but made applicable to the same, only *"while said portion of country remains a territory."* A substitute for an amendment not being in order, according to the rules of the senate, Mr. E. withdrew his proposition.

Mr. Trimble, of Ohio, next proposed to amend Mr. Thomas's amendment, substantially, by making it apply to *all the country west of the Mississippi, except so much as is comprehended within the state of Louisiana and the proposed state of Missouri.* But, before any question was taken on this motion, it was also withdrawn by the mover.

After considerable discussion, but before the question was put on the amendment of Mr. Thomas, the subject was postponed until to-morrow and The senate adjourned.

HOUSE OF REPRESENTATIVES.

Friday, Feb. 11. After some business on private claims—

The bill from the senate to remit the duties on the statue of general Washington, executed in Europe, by the Marquis de Canova, for the state of North Carolina, was read the third time and passed.

The house again resolved itself into a committee of the whole, Mr. Baldwin in the chair, on the Missouri bill.

Mr. Gross, of New York, took the floor, and spoke nearly two hours in support of the restriction.

Mr. Anderson, of Kentucky, followed against the restriction, and occupied the floor about two hours; when

The committee rose, on motion of Mr. Pindall, of Virginia; and

The house adjourned till to-morrow.

Saturday, Feb. 12. Mr. Smith, of N. J. submitted certain resolutions to authorise the people of the district of Columbia, to form a frame of government for themselves, by a convention of representatives from the several sections of the district—viz. Washington City, Georgetown and the town and county of Alexandria. They were referred to the committee on the judiciary.

The house then went into a committee of the whole on Missouri bill, Mr. Baldwin in the chair.

Mr. Pindall took the floor, and spoke above three hours against the restriction.

And the house adjourned.

Monday, Feb. 14. Many petitions and memorials were presented and referred, and several unfavorable reports on private claims received.

Mr. Smith, of Md. from the committee of ways and means, reported a bill making appropriations for the military service of the U. States for the year 1820; which was twice read and committed.

Mr. Southard, from the committee on Indian affairs, reported a bill to continue in force for a further time (until the 3d of March, 1821,) the act establishing trading houses with the Indian tribes; which, being read twice;

Mr. Southard observed that, as the bill contained no appropriation, and as the act which it proposed to continue in force would expire on the first of next month, he moved that the bill be ordered to be engrossed and read a third time. [Agreed to.]

The house then again went into committee of the whole, Mr. Baldwin in the chair, on the Missouri bill.

Mr. Cushman, of Massachusetts, took the floor, and spoke about two hours in favor of the restriction.

Mr. Wood, of New York, followed, on the same side, and advocated the restriction above half an hour.

Mr. Pinckney, of South Carolina, next rose, and opposed the restriction in a speech of about an hour; when,

On motion of Mr. Rankin, the committee rose, and

The house adjourned.

Tuesday, Feb. 15. A document was laid before the house on Saturday last, just before the adjournment, which was not noticed in our statement of the proceedings; it was a report of the secretary of the treasury, transmitting abstracts of the receipts and expenditures of the general post office, from 1st January, 1814, to 31st March, 1818, in obedience to a resolution of the 28th ult. which report was ordered to lie on the table and be printed.

Mr. Newton, from the committee on commerce, reported a bill to impose a new tonnage on French ships and vessels; and

Mr. Newton, from the same committee, reported also a bill concerning navigation, and to repeal the act of April 18, 1818, concerning navigation; which bills were severally twice read and committed.

On motion of Mr. Pindall, it was

Resolved, That the letter from the secretary of state of the 7th Feb. 1820, transmitting a list of the newspapers in which the laws of the United States are published, and the estimate of the expense of such publication, be referred to a select committee, and that the same committee enquire into the ex-

expediency of repealing or amending the acts requiring the publication of the laws in the newspapers.

This motion of Mr. P. was grounded on the belief that the expenses of promulgating the acts of congress in newspapers had increased to an unreasonable and improper extent, and that the laws on the subject required repeal or modification, so as to reduce this expense.

Referred to a committee of three members.

On motion of Mr. *Walker*, of N. C. it was

Resolved, That the committee on public lands be instructed to enquire into the expediency of limiting the quantity of public lands hereafter to be exposed to sale at the several land offices of the United States.

Mr. *Cook* submitted the following resolution for consideration:

Resolved, That the committee of ways and means be instructed to enquire into the expediency of repealing so much of the first section of an act entitled "An act making appropriations for the support of government for the year 1819," approved March 3, 1819, as pledges, the fund reserved for laying out and making roads to the states of Indiana and Illinois, for the repayment of the monies appropriated and advanced by the United States, for constructing the United States' road from Cumberland to the Ohio river, and of appropriating the same to defray the expenses of laying out and making a road from the Ohio river opposite to Wheeling, by Columbus, in the state of Ohio, and by the permanent seat of government of Indiana, on the most eligible route, to Vandalia, in the state of Illinois.

After some remarks from Mr. *Cook* in support of his resolution, it was considered and adopted without a discussion.

Mr. *Cook* then offered the following resolution for consideration, which was also agreed to—

Resolved, That the committee on the public lands be instructed to enquire into the expediency of providing by law for the payment of so much of the money arising from the sale of the public lands in the state of Illinois, since the first day of January, 1819, as has been reserved by law for the encouragement of learning, to said state.

The Speaker laid before the house a communication from the commissioners of navy hospitals, transmitting the information requested by the resolution of Mr. *Silsbee*, adopted on the 31st of January.

The Speaker also laid before the house a report from the secretary of the treasury, made in obedience to the resolution of the 4th inst. offered by Mr. *Randolph*, directing the secretary of the treasury to report such measures as in his opinion may be expedient to enforce the more speedy payment of public monies due from individuals and corporate bodies in the United States.

These reports were respectively ordered to lie on the table.

The house then again resolved itself into a committee of the whole, Mr. *Baldwin* in the chair, on the Missouri bill.

Mr. *Rankin*, of Mississippi, took the floor, and spoke more than an hour against the restriction.

Mr. *Hendricks*, of Indiana, took the other side of the question, and spoke about an hour in favor of the restriction.

Mr. *Cuthbert*, of Georgia, followed, and occupied the floor also about an hour against the restriction; when

The committee rose, on motion of Mr. *Johnson*, of Virginia, (who has the floor to-morrow,) and

The house adjourned.

Wednesday, Feb. 16. Mr. *Charles Kinsey*, a member from New-Jersey, in the place of Mr. *Condit*, resigned, appeared this day and took his seat.

Several bills were reported, &c. which shall be duly noticed in their progress.

The Speaker laid before the house a letter from the secretary of the treasury, transmitting statements of the receipts and expenditures of the United States, from the establishment of the federal government to the 31st of December last; rendered in obedience to a resolution of the house, adopted on the motion of Mr. *Randolph*, on the 6th ultimo.

The Speaker also laid before the house a letter from the comptroller of the treasury, transmitting a list of balances on the books of the third auditor of the treasury, due more than three years prior to the 30th of September last, &c. rendered in obedience to the act of March, 3, 1817.

These documents were ordered to lie on the table and be printed.

The house then resumed, as in committee of the whole, Mr. *Baldwin* in the chair, the consideration of the proposed amendment to the Missouri bill.

Mr. *Johnson*, of Virginia, took the floor, and spoke about an hour and a half against the restriction.

Mr. *Darlington*, of Pennsylvania, took the opposite side of the question, and spoke nearly an hour in support of the restriction.

Mr. *Whitman*, of Massachusetts, followed, on the same side, and advocated the restriction, in a speech of nearly two hours. When he had finished,

Several other gentlemen rose; but Mr. *Sinkins* succeeded in obtaining the floor; and, on his motion, the committee rose, and

The house adjourned.

THURSDAY'S PROCEEDINGS

In senate. After other business, unimportant—

Mr. *Thomas* withdrew his amendment offered to the new states bill, and offered a substitute, the same as that offered by him on the 3d inst. and withdrawn.

Mr. *Trimble's* amendment offered yesterday was rejected, not withdrawn—in substance it was to exclude slavery from the whole country west of the Mississippi, except in Louisiana, Arkansas, and Missouri.

The yeas and nays thereon were as follow:

For Mr. *Trimble's* amendment—Messrs. *Burrill*, *Dana*, *Dickerson*, *Horsy*, *Hunter*, King of New York, *Lanman*, *Lowrie*, *Mellen*, *Morril*, *Otis*, *Palmer*, *Parrot*, *Roberts*, *Ruggles*, *Sanford*, *Tichenor*, *Trimble*, *Van Dyke*, *Wilson*—20.

Against it—Messrs. *Barbour*, *Brown*, *Eaton*, *Elliot*, *Edwards*, *Gaillard*, *Johnson* of Kentucky, *Johnson* of Louisiana, King of Alabama, *Leake*, *Lloyd*, *Logan*, *Macon*, *Noble*, *Pinkney*, *Pleasants*, *Smith*, *Stokes*, *Taylor*, *Thomas*, *Walker* of Alabama, *Walker* of Georgia, *Williams* of Mississippi, *Williams* of Tennessee—24.

The question then recurred on Mr. *Thomas's* amendment, which is in the following words:

"And be it further enacted, That in all that territory ceded by France to the United States, under the name of Louisiana, which lies north of thirty-six degrees and thirty minutes north latitude, excepting only such part thereof as is included within the limits of the state contemplated by this act, slavery and involuntary servitude, otherwise than in the punishment of crimes whereof the party shall have been duly convicted, shall be and is hereby forever prohibited: Provided, always, That any person escaping into the same, from whom labor or service is lawfully claimed in any state or territory of the United States, such fugitive may be lawfully reclaimed, and conveyed to the person claiming his or her labor or service, as aforesaid."

On the adoption of this amendment the question was taken by yeas and nays, and determined in the affirmative, as follows:

For the amendment—Messrs. *Brown*, *Burrill*, *Dana*, *Dickerson*, *Eaton*, *Edwards*, *Horsy*, *Hunter*, *Johnson* of Kentucky, *Johnson* of Louisiana, King of Alabama, King of New York, *Lanman*, *Leake*, *Lloyd*, *Logan*, *Lowrie*, *Mellen*, *Morril*, *Otis*, *Palmer*, *Parrot*, *Pinkney*, *Roberts*, *Ruggles*, *Sanford*, *Stokes*, *Thomas*, *Tichenor*, *Trimble*, *Van Dyke*, *Walker* of Alabama, *Williams* of Tennessee, *Wilson*—34.

Against the amendment—Messrs. *Barbour*, *Elliot*, *Gaillard*, *Macon*, *Noble*, *Pleasants*, *Smith*, *Taylor*, *Walker* of Georgia, *Williams* of Mississippi—10.

Mr. *Trimble* then moved to amend the bill so as

to bring the north line of the state of Missouri, about half a degree south of the line proposed; with the view, as he stated, substantially, to give to the state which shall hereafter be formed north of the Missouri, a share of the fine valley of the Des Moines, of which he spoke from personal knowledge, particularly as the Missouri state will possess both sides of the Missouri river, which runs nearly through its middle from its east to its western boundary.

This motion was negatived; and, after some other amendments necessary to make the parts of the bill conform to each other,

The question was taken on ordering the bill, as amended, to be engrossed and read a third time, and decided by yeas and nays, as follows:

Ayes—Messrs. Barbour, Brown, Eaton, Edwards, Elliott, Gaillard, Horsey, Hunter, Johnson, of Kentucky, Johnson, of Louisiana, King, of Alabama, Leake, Lloyd, Logan, Parrott, Pinkney, Pleasants, Stokes, Thomas, Van Dyke, Walker, of Alabama, Walker, of Georgia, Williams, of Mississippi, Williams, of Tennessee—24.

Noes—Messrs. Burrill, Dana, Dickerson, King, of New York, Lanman, Lowrie, Macon, Meilen, Morrill, Noble, Otis, Palmer, Roberts, Ruggles, Sanford, Smith, Taylor, Tichenor, Trimble, Wilson—20.

So the bill was ordered to be engrossed and read a third time to-morrow; and, having postponed the remaining orders of the day,

The senate adjourned.

In the house of representatives—Several reports, &c. were received which shall be noticed, if necessary, hereafter.

The house then again proceeded, in committee of the whole, Mr. Baldwin in the chair, to the consideration of the Missouri bill, and the amendment proposed thereto by Mr. Taylor.

Mr. Simkins, of S. C. resumed the debate, and spoke more than an hour against the restriction.

Mr. Dennison, of Pa. took the other side and spoke some time in support of the restriction.

Mr. Tyler of Va. next rose; and spoke more than an hour against the restriction.

Mr. Rich. of Vt. spoke nearly the same time in support of the restriction; and

On motion of Mr. Lowndes, (who, by usage, has the floor) the committee rose; and

The house adjourned.

CHRONICLE.

Miner. We lately noticed the discovery of a silver mine near Zanesville, O. Another of Platinia, is said to be discovered in Athens county—and another near Tippecanoe on the Wabash, of copper and silver, “in such quantities that three hundred pounds of copper and three hundred pounds of silver were dug up in one day.” Really we do not understand these things. If true, we think that they would come to us in less “questionable” shapes than in common newspaper paragraphs.

A company has been formed for opening a shaft to the supposed mine at Zanesville, and incorporated. The first instalment of \$10, has been paid in; and such was the desire to possess shares, that the certificates have sold for 100, 200 and even as high as 300 dollars per share. The company was to have been organized on the 1st inst.

Naval fund. The officers of the navy and marine corps of the United States have held meetings at sundry places with a view to the formation of a general society to be formed of officers, for the relief and support of the widows and families of offi-

cers who shall be killed in battle, or die while in the service of their country.

Died, at Richmond, Va. on the 8th inst. Robert Cordley, a man of color, aged one hundred and twenty-five years; he had been a faithful servant to the commonwealth of Virginia, by acting as door-keeper to the capitol, which office was given him by the executive as a reward for his revolutionary services, in which situation he gave universal satisfaction.

Virginia is much engaged in laying out works of internal improvement; especially with a project of uniting the waters of James river with those of the Kenawha.

The Bordeaux ship of discovery (says a New York paper) has arrived at Bordeaux, after an absence of three years and a half. This ship has traversed the Pacific ocean, and collected, at the Sandwich Islands, some interesting accounts of the fate of *La Peyrouse* and his companions. A London paper states, that the account will soon be published.

The *supreme court* of the United States commenced its annual session in the great court room in the capitol, at Washington, on Monday week—present all the judges, viz: chief justice Marshall, and associate judges Washington, Livingston, Johnson, Todd, Drwall, and Story.

From South America.—The U. S. frigate Macedonian, capt. Downes, lay at Valparaiso on the 23d of October. She had previously been cruising on the coast, and visited Coquimbo, Arica, Guayaquil, St. Blas, and Acapulco. At St. Blas, the ship two Catholics, of Boston, had her foremast and foretopmast shivered to pieces by lightning. Captain Downes immediately dispatched his carpenters on board, and made her a new topmast, and fished the lower mast. The Macedonian was to sail for Lima in the course of a few days, and was expected to cruise along the coast of Peru and Quito. Lord Cochrane and his fleet sailed from Valparaiso on an expedition supposed against Lima, about the 10th of October.

U. S. bank. It is reported in the West as “gratifying news,” that the bank of the United States will remove its branches located at Lexington, Chillicothe, Cincinnati and Pittsburg.

As was expected, Jonathan Smith has resigned the cashiership of the U. S. bank. John Andrews has been appointed in his place.

The African expedition, consisting of the United States ship Cyane and the ship Elizabeth, sailed from New York, 10 or 12 days ago. The Elizabeth, chartered by government, proceeds to the western coast of Africa, for the purpose of carrying into effect the act of 1819, agreeably to the views of the president, as expressed in his late message on that subject. She carries out the United States’ agents, and artisans, mechanics and laborers, for the purpose of negotiating with the local authorities of the country for permission to land and provide for recaptured or liberated Africans, and to build houses, and cultivate land for their use. About 50 adults, people of color, go out as mechanics and laborers, provided with utensils, tools, implements and stores. Those whose services are valuable on account of their trades, and who could not be prevailed on otherwise to go, were permitted to take their families with them.

The Cyane proceeds on a cruise on the western coast of Africa, against the slave traders. *Com Ad. Arkansas.* A newspaper, the first published in this territory, has recently been published at the village of Arkansas, and is called the “Arkansas Gazette.”

NILES' WEEKLY REGISTER.

NEW SERIES. No. 26—VOL. V.] BALTIMORE, FEB'Y 26, 1820. [No. 26—VOL. XVII. WHOLE No. 442

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

☞ Subscribers to the volume now in the press to be entitled "*Principles and acts of the Revolution*," are respectfully informed that its progress is as rapid as the case will admit of, and the editor hopes that it will do much to assist the generous purposes of the distinguished gentlemen that first suggested it to him.

William Ellery. In our last, we gladly corrected a premature account of the decease of this venerable patriot; but have now to announce that he died at Newport, Rhode Island, on the 15th instant, in the 94th year of his age. There now remain but four signers of the declaration of independence—Thomas Jefferson, John Adams, William Floyd and Charles Carroll. Charles Thomson, secretary to congress at the time and during the whole revolutionary war, also lives, at the age of 90.

Presidential election. The members of the legislature of Virginia have agreed upon a list of gentlemen to be recommended to the people for their support as electors of president at the ensuing election. We were wholly at a loss to apprehend why the former meeting was adjourned; but from what we see in several of the Virginia papers, it would seem that Mr. *Monroe* was supposed by some to be friendly to a compromise on the Missouri question; and, if so, that his re-election would be "indignantly opposed." But at the second meeting, nothing of the sort appears to have been suggested.

Debate on the Missouri question. Our arrangements having been abruptly broken in upon as to the debate in the senate, as explained in the last number, we had resolved to commence the publication of a few selected speeches in the house of representatives, on the same subject; and with that view put in type the speech of Mr. *Taylor*, of New York, who opened the discussion: But on reflection, have resolved to postpone it until our next, (when a supplement will be published,) that the debate may not be divided into different volumes, and so facilitate a reference to it. The people generally, it is believed, are weary of this discussion,* but it is our bounden duty to furnish enough of it to preserve a clear view of the arguments used for and against the proposed restriction. We have also a copy of a speech delivered by Mr. *Bryan*, in the legislature of Virginia, in favor of restriction, which we have been particularly requested to publish—and it shall be registered; with one on the opposite side, delivered on the same occasion, if furnished.

Disgraceful. On Thursday night, the 17th inst. a mob collected at Hartford, Conn. and burnt Mr. *Lanman*, a senator from that state, in effigy, on account of his vote on the Missouri subject. A transparency was displayed, bearing the words in large letters, "*Lanman and slavery*." This is not the way to settle constitutional questions or promote a spirit of harmony. "Truth is a victor without vio-

*We are told that, in reference to the fatigue they have to undergo in hearing speeches which do not interest them, many members of congress familiarly call it the *misery* debate.

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lence," and it is the ballot box through which the people must act to correct what they esteem to be errors in their representatives.

☞ End of the Volume.

This sheet closes the present or 17th vol. of the WEEKLY REGISTER. The proper title page and index for it will be published and transmitted this day fortnight.

This time is a period originally assigned for a general annual settlement of all accounts between the editor and his subscribers, up to the end of the editorial year, at September; and he respectfully, but very earnestly, calls upon those gentlemen who kindly act as his agents, and upon the friends of the work individually, to make a common effort to accomplish an object so important to him—more important than one in five hundred, perhaps, can estimate. Great allowances are to be made on account of the slow circulation of good representatives of money in some parts of the United States, and their real scarcity in others; but by a little attention, there are few that cannot obtain bank paper suitable for a remittance—which may be made at the risk and cost of the editor, by such as think he ought to pay the postage. The bills or notes of any specie-paying bank are received in payment for the REGISTER.

The continued liberality of the people of the United States towards this work and its yet rapidly extending circulation, leaves the editor nothing to wish for in those respects, except for *better times*, to enable all to obtain it who desire to have it. Nor has he any other profession to make, as to the manner in which the REGISTER will be conducted, than to say that no change shall take place.

☞ We request the attention of postmasters, generally, to the following instructions, issued by the post master general some time ago, but which may be unknown to many who have subsequently come into office.

General post office, Nov. 16, 1816.

The several post masters are hereby required, whenever a person, to whom a newspaper is addressed, ceases to take it out of the post office, to advise the editor of the paper thereof; and to add, if known, whether the person is dead, moved away, or merely refuses. The mail is burthened with many newspapers, which are a loss to the proprietors, as well as the public.

R. J. MEIGS, jun. *Post master general.*

We also request the particular attention of post-masters on the southern line, to the following instructions of the post office department, the neglect of which, somewhere, causes much inconvenience to the citizens of Alabama, &c.

General post office, May 7, 1819.

All mails sent from the Atlantic states to Alabama, should be sent via Georgia, except to Huntsville, Somerville, Cotton Port, Athens, Marathon, and Florence; which, from the states north and east of South Carolina, should be sent in the Tennessee mail, via Knoxville, Ten.

The attention of postmasters to this notice is particularly invited.

Compromise on the "Missouri Question."

As there is much conversation about a compromise, as to the admission of slave-holding states west of the Mississippi, I offer the following facts, calculations and speculations, to the use and reflection of those interested, in the belief that they may be beneficially considered by both parties—protesting, nevertheless, against the necessity imposed by the question itself, of making "geographical discriminations."

I shall not, at this time, say any thing by way of argument on the propriety of a compromise. But I am personally disposed to give up much, even of what I believe to be right in itself, to prevent the worst of all wrongs. The harmony and union of the states is a matter of the first consideration—the former may be much disturbed, but I will not believe that the people can be so moved by a few *Hotspurs* as to destroy the latter, on account of this concern—yet it is a disgusting fact that a separation is talked of by some on either side, and even in congress!!! Much irritation exists—and the spirit that prevailed when the constitution was adopted, should now be exerted to preserve our prosperity under it. Gentlemen must give way a little. It does not become a republican to say "I will not submit to this," or "I will have that"—his great duty is to regard the general good and suffer the majority to govern. I know that the doctrine of compromise is not favorably received by either of the parties to the Missouri question in congress—both declare that they will not compromise with wrong. In ordinary transactions, this principle cannot be too much admired, but this seems an *extreme* case, and may justify a middle course.

Whatever may be thought of this essay, I have the assurance of my own heart that it is intended to promote the best interests of the United States, and of every state and territory constituting the republic, which is the honor of the age and the hope of humanity; and concerning which I can heartily say, *esto perpetua*; relying on the good sense of the people to preserve for themselves the best form of government ever devised for the happiness of man.

GENERAL TABLE.

STATES.	POPULATION IN 1790.		SUPPOSED POP. IN 1820.		Federal No. for representation.	Extent in square miles.
	Freemen.	Slaves.	Freemen.	Slaves.		
New-Hampshire : :	141,727	158	260,000	The slaves in these states are so few, and decreasing, that it is not worth estimating them: probable number, 10,000.	270,000	9 491
Massachusetts : :	378,787	—	510,000		510,000	6,250
Maine : :	96,540	—	300,000		300,000	40,000
Rhode-Island : :	67,877	948	85,000		85,000	1,580
Connecticut : :	235,182	2,764	280,000		280,000	4 674
Vermont : :	85,523	16	275,000		275,000	19,237
New-York : :	318,796	21,324	1,300,000		1,300,000	46,000
New-Jersey : :	172,716	11,423	275,000		275,000	8 320
Pennsylvania : :	430,636	5,737	1,100,000		1,100,000	44,000
Delaware : :	50,207	8,887	80,000		80,000	2,112
Ohio : :	unsettled.		580,000		580,000	39 128
Indiana : :			235,000		235,000	37,000
Illinois : :			125,000		125,000	52,000
	1,977,981	49,257	5,405,000	10,000	5,405,000	300,792
		Gross amt.	5,415,000		5 411,000	
Maryland : :	216,692	103,036	290,000	120,000	372,000	14,000
Virginia : :	454,983	292,627	630,000	450,000	900,000	70,000
North-Carolina : :	293,179	100,572	450,000	180,000	538,000	48,000
South-Carolina : :	132,979	107,094	250,000	220,000	382,000	24,080
Georgia : :	53,284	29,264	190,000	150,000	268,000	62,000
Kentucky : :	61,247	12,430	520,000	120,000	592,000	50,000
Tennessee* : :	32,274	3,417	340,000	60,000	377,400	40,000
Louisiana : :	Not ceded to the U. S. or the pop. included in the preceding.		65,000	75,000	110,000	48 220
Mississippi : :			50,000	30,000	68,000	45,000
Alabama : :			50,000	30,000	68,000	46,000
	1,224,638	648,440	2,845,000	1,415,000	3,694,400	447,300
			1,415,000			
		Gross amt.	4 260,000			

Those in the first division are considered as non-slave-holding states, though a few slaves yet remain in some of them, because all are opposed to the *principle*, and will soon be without slaves.

This table was formed with great care and a sincere desire to arrive at truth. Accuracy is not expected. It is impossible to detail all the facts and considerations on which the calculations of the population in 1820 were founded; but every state was examined separately, and all the facts and probabilities belonging thereto brought to bear upon it, emigration as well as natural increase being regarded. The whole population of the United States, and their territories, in 1820, will be from 9,500,000 to nearly 10,000,000; but short of the latter. This seems to be very generally agreed upon.

* Called "territory south of the Ohio," in 1790.

As to population, the following results appear—

The free persons in the non-slave holding states, have increased at the rate of more than *one hundred and seventy three per cent.* in 30 years; but

The free persons in the slave holding states, for the same time, have increased only at the rate of *one hundred and thirty per cent.*

In addition, those things must be considered:

The former throw into the latter a part of their surplus population, at the rate of at least 15000* persons a year—for 30 years 450,000

Their increase in the same time, must be estimated by using an equated number, at not less than 200,000

650,000

Deduct counter emigration, including that of free blacks and some runaway slaves, at 1500 per an. 45,000

Their increase, or the principle above stated 20,000-65,000

585,000

Now this amount, in the calculation of population, should go to the credit of the non-slave holding states and to the debit of the slave holding states, so that the general amount of increase for 30 years, from 1790 to 1820, would stand at about the rate of *two to one*, in favor of the former. Besides, the latter by the cession of Louisiana, has an acquisition of about 20,000 free persons, and the number of these and of their descendants cannot be now estimated at less than 30,000.

There is another item entitled to considerable weight in estimating this matter. It may safely be said that at least five sixths of our *seamen* are furnished by the non-slave holding states, and perhaps three fourths of the *soldiers* enlisted for the army of the United States. Both of these professions are severe checks to population and wasteful of life—besides, the sailor is said to have a home every where, and certainly changes the place of his abode more freely than any other man.

The general population of the United States does not double itself in 20 years, though the foregoing would shew to the superficial observer a greater degree of increase—but we must recollect that population goes on with a geometrical ratio, as 2, 4, 8, 16, when the means of subsistence are abundant; but, as it becomes more dense and presses on production, it assumes an arithmetical rate, as 1, 2, 3, 4. When a country is fully peopled, it becomes stationary and not unfrequently retrogrades, from different causes.

If we look forward 30 years, to 1850, and assume the past as datum for the future, the population will stand about thus:

Free persons in the non-slave holding states at 173 p'r c't 14,600,000 (nearly)
" slave holding states, 130 6,236,000

This shews a great disparity—but there is reason to believe it will be greater than is here represented,—for the manifest reason, that countries possessed of many slaves, reject the labor of free persons; nor can they be divided into small farms, as in the eastern states; to say nothing of the multitudes employed in the latter in manufactures and the mechanic arts, commerce, &c.

*The whole emigration from the old states, east of Delaware, may amount to about 70,000 a year.

The reflections arising out of these probabilities are of a melancholy character. We see that slavery, the supreme curse of our land in itself, is also the severest check to the progress of a free population that can be imagined, except famine and pestilence, or a war of extermination, such as the British generally carry on in India, or such as has prevailed in the provinces of Venezuela. How then can the political economist and the patriot, who desires to see the United States advance in population, wealth and resources, willingly extend the evils of slavery to the vast regions beyond the Mississippi? Is history to be lost upon us—the evidence of our own senses to have no effect? The land will be monopolized by the rich slave-holder, and the free laborer, disgraced by an association with slaves, will seek his home where labor is honored. What is the consequence?—The following may give us some idea of it.

We have no valuations of the states before the revolution; but in 1781 or '82, congress levied a tax of eight millions on the states, apportioned in part thus—Pennsylvania \$1,120,794; Virginia 1,307,594—which shews that the latter was considered more valuable than the former by nearly *one sixth*. But the valuations in 1815, under the act of the U. States for laying a direct tax, exhibited these results:

Pennsylvania	346,633,889
Virginia	*263,584,600

But this very imperfectly shews the real state of the case. Her slaves came into the valuation of Virginia, say only 400,000. I cannot find out at what rate they were appraised, but should suppose at not less than 200 dollars each, amounting to 80 millions. Then, the valuations of the *lands and improvements* of the two states were about thus—

Pennsylvania	346,633,889
Virginia	263,584,600
Deduct the slaves	80,000,000.—183,584,600

Difference \$163,049,289

Again, Pennsylvania contains only 41,000 square miles, but Virginia has 70,000—and the latter must have much more good land than the former. Whence comes this mighty disparity? It is because the soil of one is cultivated by freemen and that of the other by slaves.

Further—New York was assessed to pay only \$372,598 in 1781 or '82—less than her fair proportion, perhaps, because her capital was possessed by the enemy; but Virginia was assessed as before mentioned, at 1,307,594. We have very late valuations of the lands and improvements in those states—New York, with 46,000 square miles of territory, is esteemed to be worth 281,862,794; and Virginia, with 70,000 square miles, at 206,393,978. It must be further observed, that the distresses caused by the *banks* in the state of New York have diminished the value of property exceedingly; whereas Virginia wisely put down all her mushroom institutions, and has suffered a small comparative injury.

We shall close this part of our remarks with a summary of the whole probable population of the United States in 1820—as follows:

*Yet Virginia, on account of her *representation*, was assessed to pay more tax than Pennsylvania—Virginia \$738,360—Pennsylvania 730,938. It must be observed, that this principle of taxation did not prevail until *after* the adoption of the constitution.

Probable population—1820.

In the non-slave-holding states	free 5,405,000 slaves 10,000	5,415,000
In the slave holding states	free, 2,835,000 slaves 1,415,000	4,250,000
Territories—Missouri	gross 75,000	
Arkansas	do. 20,000	
Michigan	" 20,000	
Columbia	34,000	
Northwestern	3,000	153,000
		9,818,000

This agrees very nearly with an estimate which I formed two or three years ago—though the location is partially changed by subsequent information.

POWER OF REPRESENTATION.

It is most probable that the next ratio of representation will be fixed at 45,000. There must be large factions, but they will not affect the general result, which will be as follows:

The non-slave-holding states will have	120 members.
slave-holding states	80
	200

And the whole number of representatives will be about 200—enough for a deliberative body.

If the representation, and at the same ratio, was according to the freemen of the United States, the account would stand as 120 is to 63.

But it is the constitution that it should be otherwise, and direct taxes, to which we must one day resort, is apportioned on its principle; and it is a sort of moral treason against humanity to attempt a change in this respect: though we may resolve not to extend the operation of the rule to new states.

POWER IN SENATE.

The 12 non slave holding states, have	24 members.
10 slave holding do.	20
	44

The former has one senator of every 224,500 freemen; and the latter one senator for every 142,250 such persons; one for every 182,750 of the constitutional rate of representation; one for every 212,500 persons, whether freemen or slaves. But the senate was wisely designed to represent the state sovereignties, not the people resident in them, and I trust will always be constituted on its present principle, in this respect; though I could wish that the period of service was lessened.

Maine, if admitted, will add two members to the majority, and those from Missouri will incline either way, according to the principle on which the territory is admitted. Arkansas may be expected to become a state in five or six years, when the territory will be divided, and the foundation of a second state between Missouri and Louisiana, be laid, though it may not claim admittance for several years. But there is no prospect of any more being speedily admitted, unless in the event of a cession of Florida. Michigan will not probably become sufficiently populous until after the great New York canal is completed. We have no idea where the next succeeding state will be located, or at what time its formation may be expected. But it will probably be situated either north of Illinois, extending from the Mississippi to lake Michigan, or north of Missouri, running west from the Mississippi. At present the white population in both of these tracts of country, including the United States' posts therein, does not, perhaps, amount to 4000 souls. But the current

of emigration is so uncertain, in respect to these matters, that nothing can be calculated with a reasonable probability.

EXTENT OF TERRITORY.

The non slave holding states possess 500,792 square miles, and their present population is at the rate of *fourteen and an half* persons to every square mile.

The territory of the slave holding states is equal to 447,500 square miles, and the entire population is at the rate of *nine and one half* persons to every square mile.

Though slavery is one of the greatest possible checks to the progress of a white population, I know of no reason why a given extent of country may not support, as agriculturists, as great a number of freemen and slaves as of freemen only. It is true, the slave produces less than the freeman, but he also consumes less. The excessive population of Holland was chiefly supported by commerce and manufactures, but that of Barbadoes, which rivalled Holland, in proportion to its extent, and consisted chiefly of slaves, depended on agricultural pursuits. Jamaica, which contains only 6000 square miles, a large part of which is untillable, has about 45,000 whites, 20,000 free people of color and 327,000 slaves, in all 384,000 inhabitants, subsisting by agriculture—that is, *sixty five* persons for every square mile. It cannot be then, that an outlet is wanted for the slaves of the southern states.

It may be observed that the non slave holding states, (if the "immortal ordinance" of 1787, is good for any thing, and its validity seems severely doubted by some) may be said to have the tracts of country called the territory of Michigan, and that great region north of Illinois, &c. called the North Western territory, extending to the northern boundary of the United States, east of the Mississippi, the chief part of which cannot be imagined as inhabited in the present century, notwithstanding the wonderful things which we have seen in the last 30 or 40 years. Its soil and climate, and especially its local position, forbids the prospect of a dense population for a long time to come; though, as before observed, one state may possibly be formed out of it in the period of the present generation—perhaps by the year 1850. But if Florida is obtained by the United States, and there is every probability that it will be at an early period, its condition and location will almost seem to press it into the union as a slave holding state.

In conclusion, I have only to say, that if we pass over the present great question harmoniously, there is nothing which I can imagine as likely to provoke a similar excitement, or jeopardize the duration of the confederated republic.

P. S. Since the preceding was prepared for the press, we have seen the proceedings of the house of representatives on Wednesday last [page 455,] by which it appears very evident that the compromise, as apparently proposed by the senate, cannot be agreed to—there having been 159 against and only 18 for it. Whether any other plan will be devised or not, we are not informed. The bill for uniting Maine with Missouri has been very properly sent back to the senate, rejected. Whether that body will agree to separate them, though they have no rational connection with one another, is doubtful—but the opinion seems to prevail that no bill respecting Missouri will pass the present session.

Valuations of New-York.

Statement of the aggregate of the valuations of the real and personal estates in the several counties of New-York as far as they have been returned to the comptroller's office, for the years 1817, '18 and '19.

COUNTIES.	1817.	1818.	1819.
Albany	14,113,004	13,986,143	7,633,881
Allegany	792,545	895,882	822,946
Broome	2,395,431	2,397,640	2,445,043
Cayuga	4,578,682	4,532,682	4,486,314
Chataugue	1,705,533	1,698,753	1,698,301
Chenango	4,072,258	4,057,165	4,062,996
Clinton	1,585,836	1,559,545	1,454,516
Columbia	10,825,868	10,690,400	6,758,428
Cortland	2,215,723	1,211,405	1,755,595
Cattaraugus	1,805,960	1,878,842	1,800,080
Delaware	3,912,932	3,866,541	3,890,456
Dutchess	17,818,177	17,909,725	16,030,583
Essex	1,115,835	1,122,054	999,575
Franklin	706,972	714,186	714,157
Genesee	6,647,650	6,811,708	6,801,027
Greene	4,433,874	4,451,022	4,395,874
Herkimer	5,280,024	5,234,625	5,000,000
Jefferson	3,588,829	5,370,221	5,064,002
Kings	4,907,122	4,925,002	3,752,326
Lewis	1,696,981	1,694,349	1,728,513
Madison	4,322,637	4,417,522	4,407,651
Montgomery	7,861,621	7,866,084	5,856,407
New-York	78,995,735	80,254,091	79,113,061
Niagara	3,931,240	4,160,597	4,000,000
Oneida	9,240,228	9,157,074	8,551,972
Onondaga	3,725,295	3,736,994	3,624,109
Ontario	14,071,491	12,300,128	10,287,721
Orange	7,883,829	7,830,530	7,881,135
Oswego	1,395,235	1,402,174	1,425,619
Otsego	6,684,510	6,479,151	6,174,419
Putnam	2,008,415	2,617,168	2,033,075
Queens	7,591,974	7,570,294	5,895,605
Rensselaer	10,324,860	10,215,531	7,289,627
Rockland	2,209,265	2,209,265	2,200,565
Richmond	872,966	854,814	674,083
Saratoga	7,568,331	7,533,457	6,596,010
Schenectady	2,380,184	2,314,157	1,970,163
Schoharie	3,813,129	3,815,903	3,824,794
Seneca	2,752,867	2,717,914	3,192,955
St. Lawrence	3,031,465	3,028,198	3,000,000
Steuben	2,018,247	2,015,713	2,050,762
Suffolk	6,676,267	6,620,281	5,327,392
Sullivan	1,775,550	1,768,889	1,592,787
Tioga	2,515,526	2,498,641	2,505,349
Tompkins	2,266,079	2,267,414	1,886,634
Ulster	5,034,608	5,015,714	3,389,586
Warren	1,328,773	1,356,221	1,364,145
Washington	7,901,064	*7,901,064	5,932,053
West-Chester	11,290,403	11,470,842	10,512,275
Total,	315,370,838	314,913,695	281,862,793

The preceding table shews a great appreciation of the value of money as measuring that of property. The whole productive labor of the people of this great state, as applied to the clearing of new lands, the improvement of farms and building of new houses, &c. &c. the whole value of which must have been very large, has been insufficient to prevent a general depreciation of the worth of property. It is a moderate estimate, that if a person borrowed 1000 dollars three years ago, he would now have to give lands or goods to redeem it which then would have brought him 1500 dollars, or more.

Revolutionary Pensioners.

Letter from the secretary of war, transmitting a statement of the number of persons who have been placed on the pension list, under the law of the 18th March, 1818, who served for one, two, three years, and during the war, respectively.

DEPARTMENT OF WAR, February 7, 1820.

SIR—I enclose, herewith, a statement of the number of persons placed on the pension roll, under the law of the 18th of March, 1818, who served for one, two, three years, and during the war, respectively. This statement is made as accurate as practicable, from the documents in the office; and although it may not be critically correct, as some may have served under other terms than those for which they obtained pensions, yet that number is believed to be so limited that, if it could be precisely estimated, it would not vary the statement materially.

About one half of all the applications under the law of the 18th March, 1818, came in prior to the 4th September, 1818; and should the plan, proposed by the committee, of allowing two years pay to those who served for one year, be adopted, about one-half of that class will have received two years pension on the 4th of Sept. next, and before the next semi-annual payment thereafter, nearly the whole of that class of pensioners will have received two years pension.

I have the honor, &c.

J. C. CALHOUN.

Hon. S. Smith, Chairman Com. of ways and means.

Number of persons placed on the rolls of the states and territories of the United States, under the law of the 18th of March, 1818, who served for the several periods, according to the following statement, viz.

	FIRST	SECOND	THIRD	4TH	TOTAL.
	No. of those who served one year, or nine months.	No. of those who served more than one and not more than two years.	No. of those who served three years and upwards, &c. of those who served more than two and less than three years.	No. of those who served for three years and during the war;—i. e. those who served at least 3 years at one period, &c. were in service at the end of the war.	
STATES AND TERRITORIES.					
New-Hampshire	449	140	353	200	1,142
Massachusetts	1,072	313	675	444	2,514
Rhode-Island	98	26	53	67	240
Connecticut	392	126	459	306	1,373
Vermont	413	185	464	233	1,295
New-York	717	370	1,021	1,118	3,195
New-Jersey	177	24	93	164	457
Pennsylvania	250	165	373	312	1,090
Delaware	10	7	12	12	41
Maryland	85	96	227	157	575
Virginia	72	232	215	171	693
North Carolina	64	40	66	42	212
South Carolina	18	46	49	17	130
Georgia	6	9	18	15	48
Kentucky	69	122	197	95	474
West Tennessee	13	27	50	21	111
East Tennessee	15	26	37	25	103
Ohio	125	89	250	183	647
Louisiana	1	—	—	—	1
Indiana	11	16	41	28	96
Illinois	1	1	—	2	4
Mississippi	1	1	1	3	6
Alabama	2	1	1	1	5
Missouri	—	2	3	1	6
Michigan	—	1	1	1	3
District of Maine	743	183	744	164	1,824
Dist. of Columbia	7	8	23	13	51
Total.	4,811	2,197	5,449	3,398	16,355

*No return for this year—but stated as in 1817.

Department of War.

Letter to the secretary of the department of war, dated 4th Jan. 1820.

Sir—I have the honor to transmit a statement of the expenditure and application of all such sums of money as have been drawn from the treasury, on account of this department, from the 1st Oct. 1818, to the 30th September, 1819, inclusive, in virtue of the appropriation laws of 1819; and of unexpended balances of former appropriations remaining in the treasury, on the 1st October, 1818; prepared in pursuance of the 1st section of the act of the third March, 1819, “further to amend the several acts for the establishment of the treasury, war, and navy departments.”

I have the honor to be, very respectfully, sir, your most obedient servant, J. C. CALHOUN.
Speaker of the house of representatives, U. S.

GENERAL ABSTRACT.

HEADS OF EXPENDITURE.	Amount of money expended fr. 1st October, 1818, to 30th Sept. 1819 inclusive.
Pay of the army - - -	1,023,308 41
Subsistence of the army - - -	1 058,764 63
Forage of the army - - -	24,092 10
Clothing of the army - - -	505,501 45
Quarter master's department - - -	815,357 97
Bounties and premiums - - -	90,411 77
Contingencies - - -	74,827 18
Hospital department - - -	58,920 79
Fortifications - - -	907,634 17
Ordnance - - -	150,002 44
Arsenals - - -	7,363 33
Materials for gun carriages and caissons - - -	1,149 56
Armories - - -	330,497 48
Cannon and shot - - -	116,641 18
Arming and equipping militia - - -	18,133 13
Brigade of militia (payment of a) - - -	18,843 29
Military academy - - -	32,107 46
Maps, plans, &c. for the war office - - -	249 11
Act for the relief of Wm. Lawrence and others - - -	236 66
Ditto Wm. Robinson and others - - -	- - -
Arsenal at Watertown - - -	33,388 72
Ditto near Augusta - - -	48,924 14
Ditto at Baton Rouge - - -	25,031 82
Arsenal at Waterliet - - -	1,276 40
Ditto Pittsburg - - -	7,625 48
Arrearages prior to 1st July, 1815 - - -	226,872 62
Ditto from 1st July, 1815, to 31st December, 1815 - - -	79,639 40
Survey of the coast - - -	7,828 11
Payment of claims for property lost, captured, or destroyed - - -	2,293 79
Repairing roads in Tennessee, Louisiana, and Georgia - - -	- - -
Opening a road from Reynoldsburg to the Natchez road - - -	1,000 00
Half pay pensions - - -	409,443 47
Pensions to officers and soldiers of the revolutionary army - - -	1,811,328 96
Surveying certain ports and harbors - - -	6,735 72
Gratuities and travelling expenses to discharged soldiers - - -	45,395 16
Erecting barracks at Baton Rouge - - -	10,000 00
Payment of balances due certain states - - -	214,336 77
Act for the relief of John Warmesley and others - - -	1,848 17

Ditto William Oliver - - -	900 00
Ditto Jacob Brown - - -	621 92
Ditto Thomas H. Boyle - - -	150 00
Ditto Samuel Hooker - - -	4,652 66
Ditto Thomas Miller and Stephen Baker - - -	3,500 00
Ditto R. M. Johnston - - -	1,008 37
Ditto John Work - - -	259 49
Annual allowance to invalid pensioners - - -	283,056 71
Medals for officers of the army - - -	- - -
For running the boundary lines of Missouri territory - - -	- - -
Act for the relief of Adam Kinsley, Thomas French, and C. S. Leonard - - -	22,825 00
Damages to several tribes and individuals, per act of 3d March, 1819 - - -	14,480 00
Act for the survey of the water courses of the Mississippi - - -	7,284 71
Act for the relief of Thomas B. Farish - - -	149 60
Ditto Michael Hogan - - -	1,100 00
Ditto B. & P. Jourdan, brothers - - -	28,000 00
Ditto Kenzie and Forsythe - - -	870 00
Ditto James Orr - - -	250 00
Ditto Ruse Hill - - -	3,093 41
Appropriations for marking and running boundary lines of cession of lands from the Indians, per act 16th February, 1819 - - -	2,000 00
Magazine at Frankford - - -	8,500 00
Appropriation for military roads - - -	1,400 34
Ditto for carrying into effect treaties with several Indian tribes, per act 3d March, 1819 - - -	20,815 25
Volunteers - - -	- - -
Camp equipage - - -	266 06
Indian department - - -	262,435 82
Annuities - - -	42,812 10
dollars.	9,041,440 28

Great Britain and France.

The following important table of the state of Great Britain and France, in the year 1819, furnishes materials for much reflection.		Great Britain and Ireland.		France.	
Surface	Population	in hectares	in individuals	in hectares	in individuals
61,000,000,000	12,600,000	52,000,000	29,827,000	61,000,000,000	37,522,000,000
3,875,000,000	4,679,000,000	3,875,000,000	4,679,000,000	3,875,000,000	4,679,000,000
1,461,300,000	1,345,000,000	1,461,300,000	1,345,000,000	1,461,300,000	1,345,000,000
2,250,000,000	1,404,000,000	2,250,000,000	1,404,000,000	2,250,000,000	1,404,000,000
1,818,000	1,657,500	1,818,000	1,657,500	1,818,000	1,657,500
40,860,000	35,189,000	40,860,000	35,189,000	40,860,000	35,189,000
1,000,000,000	570,000,000	1,000,000,000	570,000,000	1,000,000,000	570,000,000
25,000,000	10,500,000	25,000,000	10,500,000	25,000,000	10,500,000
20,000,000,000	3,050,000,000	20,000,000,000	3,050,000,000	20,000,000,000	3,050,000,000
1,000,000,000	232,000,000	1,000,000,000	232,000,000	1,000,000,000	232,000,000
1,500,000,000	889,210,000	1,500,000,000	889,210,000	1,500,000,000	889,210,000
1,800,000,000	827,790,000	1,800,000,000	827,790,000	1,800,000,000	827,790,000

[Gazette de France.

The population of Great Britain and Ireland is 17 millions instead of 12,600,000, which is the population nearly of Great Britain alone. Ireland cannot be rated less than five millions of individuals.

It will be observed, how beneficially agricultural capital compensates in produce for population. These tables seem calculated on the data of Chaptal and Colquhoun.

[*Demo. Press.*]

Revenue of Maryland.

To which add this sum received from the United States in part of the states' claim for militia service		Amount of Funds.		Amount not productive		Amount productive		Amount of Revenue.		Revenue received in 1819.	
Permanent funds	:	:	:	1,160,367 01	290,344 44	870,022 57	42,148 12	1,500 00	46,910 12	1,988 70	27,938 57
Miscellaneous, &c.	:	:	:	73,966 73	3,000 00	69,966 73	32,160 00	1,000 00	27,938 57	277 73	
Incidental branches of revenue—	:	:	:					45,750 00			
Composition on escheats and vacant lands	:	:	:					122,538 12			
Taxes on chancery & land office proceeds	:	:	:					100,000 00			
Taxes on lotteries	:	:	:								
Total	:	:	:	1,233,333 74	293,344 44	939,989 30	222,538 12		77,065 12		

Statement of the amount of the states' capital, the amount of revenue receivable thereon, and the probable amount of receipts on miscellaneous and incidental branches of revenue, for the year 1820, as estimated therein, corrected by the receipts from the same items of revenue for 1819.

To a man who is reasonably cautious, the altered notes are the most dangerous—but these may be generally detected by holding them up to the light.

The bank of Michigan, with perfect good will to the people of that territory, we regret to learn, has gone into operation. Their credit must be good, for their notes are received in the payment of debts at the old bank of Chillicothe.

Banks of Massachusetts, including Maine.—Whole number of banks 43, exclusive of the office of the bank of the U. S.

Amount of capital 12,140,600

These banks have debts due to them amounting to 15,914,388 11

They have cash deposited, amounting to 3,656,853 76

They have bills in circulation amounting to 3,841,266 00

Gold and silver on hand, amounting to 2,049,741 23

Boston banks. The capital of the seven banks in Boston, (without U. S. branch,) amounts to \$7,350,000

They have debts due to them amounting to 9,309,238

They have cash deposited amounting to 2,863,658

They have bills out, amounting to only 1,018,781

Specie on hand 987,331

In Maine, there are 15 banks, the capital stock of which is \$1,654,900

They have debts due to them 2,464,349

They have cash deposited, amounting to 278,924

They have bills in circulation, amounting to 1,380,572

They have specie on hand, amounting to 617,952

Merchants' bank, New York. The governor has sent a message to the legislature, enclosing a communication from the Merchants' bank, in the city of New York, stating the causes of suspension of dividends in that institution, viz—"That the institution had been deprived of \$100,000 of funds, by the conspiracy of John Waters Thorne, late first teller, and Valentine Nutter Livingston and Harry Dana Tracy; and giving a detailed statement of the proceedings relative to this affair."

Pennsylvania banks. The treasurer of this commonwealth has given public notice, that the charters of the following banks are null and void and of no effect whatsoever, and that they are henceforth to be deemed and taken as dissolved, unlawful and unincorporated.

1. The bank of Washington, in the borough of Washington.

2. The Farmers and Mechanics' bank of Pittsburgh, in the city of Pittsburg.

3. The Farmers and Mechanics' bank, at Greencastle.

4. The Agricultural and Manufacturing bank, at Carlisle.

5. The Juniata bank, at Lewistown.

The following are the amounts of notes in circulation of the country banks of Pennsylvania, in the years stated—

In 1816	to the amount of	4,756,460
1817		3,782,760
1818		3,011,153
1819		1,318,976

Shewing that nearly three millions and a half of paper has been withdrawn from the currency of this state in the space of three years. The appreciation of money has perhaps been more rapid than the public good required, but its representative had so depreciated that if it had not been checked, there is no calculating the point at which the ruin would have ended.

Banks and Banking.

Bank of the U. S. On the 10th inst. the house of delegates of Virginia took up the resolutions submitted sometime ago on the bank of the U. S. and the opinion of the supreme court thereon. It was moved by a member to postpone the consideration of these resolutions until the 31st of March next, that is, indefinitely—the mover was opposed to all banks, both national and state, and objected narrowing down all animadversions to the bank of the U. S. But the house refused so to postpone the resolutions, 32 to 39. Several amendments were proposed and one or two substitutes offered, all which were referred to a select committee.

Counterfeit notes are in great abundance—almost every where; but especially in the western country.

Maryland banks. The legislature of Maryland has passed an act making it felony in any officer or director of a bank to embezzle any of its funds, credits, &c. also making it a misdemeanor in a clerk or other officer to suffer any person knowingly to over-check to the amount of one thousand dollars—and a breach of trust in any manner committed by an officer or director of a bank, shall be accounted a misdemeanor, subject to fine and imprisonment, &c.

Another bill has also passed, having for its object to prevent the present dirty management of banks, through the aid of proxies held in the names of persons who do not own any stock, and by which those possessed of the minority of the stock commonly elect themselves directors.

Virginia banks. Abstracts from the reports submitted to the legislature:

Bank of Virginia—Jan. 1820.

Dr. Paper in circulation	- - -	1,162,523	12
Deposites,	- - -	695,312	96
Capital stock	- - -	2,430,000	00
		4,287,847	08

Cr. Specie & specie funds,	575,634	58
Bills discounted, &c.	3,555,442	51
Real estate,	156,769	68
	4,287,847	08

Since the last year, (January, 1819) the bank has reduced the outstanding debt, \$1,137,000 00
It has lost of its specie, 78,000 00
And has reduced its notes in circulation, and deposit money, 1,350,000 00

Farmers' bank of Virginia—Jan. 1820.

Dr. Paper in circulation	- - -	1,185,099	22
Deposites	- - -	510,565	74
Capital stock	- - -	1,937,422	50
		3,633,087	46

Cr. Bills discounted, &c.	2,875,035	98
Specie & specie funds,	59,031	26
Real estate,	160,970	22
	3,635,087	46

Since the last year the outstanding debt has been reduced \$167,626 89

The bank has lost of its specie 158,880 01

And has reduced its notes in circulation, and deposit money 833,469 83

¶ The preceding includes the transactions of the banks and all their offices. The bad debts due the bank of Virginia are estimated at \$145,000; those due the Farmers' bank, at 97,192, as well as \$83,000 regarded doubtful or hazardous. The surplus funds and a small deduction from the dividends will cover these.

State of the bank of the Valley of Virginia, including its offices of discount and deposit, June 1st, 1819.

Bills and notes discounted outstanding	\$1,035,640	35
Specie	141,980	02
Notes of other banks	55,563	93
Due from other banks	3,114	16
Commonwealth of Virginia	\$7,000	
Real estate	19,697	88
	\$1,342,402	34

Capital stock	\$690,000	
Notes in circulation	513,430	
Due to other banks	26,581	38
Discount	28,339	
Deposit money	84,051	96
	\$1,342,402	34

(Signed)

LEWIS HOFF, cashier.

State of the Northwestern bank of Virginia, 1st June, 1819.

Bills discounted	\$110,610	50
Debts due from other banks	18,021	73
Bad debts (none)		
Doubtful do. (none)		
Real estate	3,000	
Profit and loss	1,030	16
Specie	75,368	
Notes of other banks	3,855	
	\$212,416	36

Capital stock paid in	\$154,000	
Notes in circulation	26,790	
Discount received	2,804	28
Due to other banks	250	
Money of depositors	28,372	08
	\$212,416	36

[Signed] T. WOODS, Cashier.

Kentucky. Since the bank of Kentucky has suspended specie payments again, it is believed that the *Independent* banks, nearly all of which were bankrupt, will re-open their doors, and deluge the state with paper. Thus, all that the people have suffered will avail nothing to purge the system, and at some future period they will have to begin the work of reformation *de novo*.

¶ Since the preceding was written, we have the news that the house representatives of the state of Kentucky, by a vote of 52 to 27, was resolved to repeal the charters of all the "Independent banks," to which it is believed the senate will also agree.

Laus Deo!

We have received the report of the joint committee appointed to examine into the situation of the bank of Kentucky. It exhibits the situation of the bank as much better than had been anticipated by many:—

Whole amount of capital stock owned by individuals,	\$2,139,700	
By the state,	586,400	
	2,726,100	

Notes in circulation	666,422	36
Specie on hand	270,325	53
Debts due the bank	3,440,133	94

The committee consider the sum of \$39,669 76 as lost in bad debts, and the sum of \$49,810 69 as in some degree doubtful. The bank has an undivided fund of \$56,978 35, to meet the losses.

Printers of the Laws of the U. S.

Letter from the secretary of state, transmitting lists of the names of persons appointed to publish the laws of the United States, during the fourteenth and fifteenth congress, and first session of the sixteenth congress.

Department of state, 7th February, 1820.

In compliance with a resolution of the house of representatives, of the 28th ultimo, the secretary of state has the honor to transmit herewith lists, numbered from one to five, inclusive, of the persons appointed to publish the acts, resolutions, and treaties, approved and ratified during the several sessions of the 14th and 15th congress, and such as may be approved and ratified during the 1st session of the 16th congress, together with the names of their respective newspapers, and the places where they are printed; and to state that the expense of publication has been,

For the 1st session of the 14th congress

—58 newspapers, at \$144 50 each \$8,381 00
 For the 2d session of the 14th congress—
 58 newspapers, at \$84 50 each 4,901 00
 For the 1st session of the 15th congress—
 65 newspapers, at \$133 50 each 8,677 50
 For the 2d session of the 15th congress—
 67 newspapers, at \$206 each 13,802 00
 And that, for the unknown expense of
 publishing the acts, &c. of the 1st ses-
 sion of the 16th congress, in newspa-
 pers, there has been estimated, for 69
 newspapers, 19,750 00

It is to be observed that the law limits the num-
 ber of newspapers for promulgating the acts of
 congress in each state, to three; and, in relation to
 the preceding expenditures and estimate, that,
 prior to the act of the 20th of April, 1818, "to pro-
 vide for the publication of the laws of the United
 States, and for other purposes," the expense of pub-
 lishing the laws in newspapers, was computed and
 paid at the rate of fifty cents for each printed page
 of the old edition of the acts of congress. By the
 act of the 20th of April, 1818, the compensation
 was fixed at one dollar per page of the new edition
 of the laws; which is an advance upon the former
 price of publication, allowing for the difference
 between the page of the old and new editions, of
 about 12 per centum. This advance, the increase
 of printers employed in consequence of the increas-
 ing number of states, and the formation of a new
 territorial government, together with the authori-
 zation in the act of the 20th April, 1818, to employ
 three newspapers in each territory where previous-
 ly there had been only two, and the new provision
 in that act to pay for the insertion of treaties in all
 the newspapers employed, will explain the causes
 of the increased expenditure for promulgating the
 laws enacted at the second session of the 15th con-
 gress, and of the extended amount of the estimate
 for publishing in newspapers the acts, &c. which
 may be passed during the first session of the 16th
 congress. The amount to be paid depends upon
 the volume of the laws enacted; and experience has
 shewn, that the acts of the 1st session of any con-
 gress are, in general, of greater volume than those
 of a last session. To this observation the acts of
 the second session of the fifteenth congress form
 an exception, on account of the great number of In-
 dian treaties ratified during that session. Thus,
 there are contained—

In the volume of the acts of the 1st session
 of the 14th congress, 289 pages, of the
 old edition of the laws, at 50 cents per
 page \$144 50
 In the volume of the 2d session of the 14th
 congress, 169 pages, at 50 cents per page 84 50
 In the volume of the 1st session of the 15th
 congress, 150 pages of the new, equal
 to 267. pages of the old edition, at 50
 cents per page of the latter 133 50
 In the volume of the 2d session of the
 15th congress, 206 pages, 96 of which
 are occupied with Indian and other
 treaties, of the new edition of the laws,
 at \$1 per page 206 00

The estimate with regard to the acts of the pre-
 sent session, has been made upon this view of
 the subject, and with a desire to prevent the necessity
 of recurring to the appropriation authorised espe-
 cially by the act of 20th April, 1818, to cover arrears.
 The amount to be paid having been regu-
 lated by law, the secretary of state can neither in-
 crease or diminish it. In the estimates for the an-
 nual appropriations, the expenses of printing the

laws, as well in pamphlets as in newspapers, have
 been usually included under the general item of
 contingent expenses of the department. In the es-
 timates for the present year, they are presented as
 specific items of appropriation.

All which is respectfully submitted.

JOHN QUINCY ADAMS.

The Speaker of the house of representatives.

[Here follows fifteen pages of matter containing
 the name of printers authorised to publish the laws,
 the states in which they reside, the titles of their
 papers, and the places at which they are printed.]

Important Law Case.

FROM THE WESTERN HERALD.

Our readers may recollect, that among the abor-
 tive measures taken by the counsel for the United
 States' bank, against the officers of this state for col-
 lecting the tax of 10,000 dollars, an action was
 brought against Mr. Osborne, the state auditor, and
 Mr. Harper, one of the persons who collected the
 tax, for a contempt of court, in disobeying an al-
 leged injunction, for staying the proceedings un-
 der the law levying the tax. Much anxiety hav-
 ing been manifested to learn the situation in which
 this business at present stands, we obtained a cor-
 rect detail of the proceedings of the United States'
 circuit court thereupon, which is as follows:

*United States circuit court at Chillicothe,
 January term, 1820.*

Bank of the United States,
versus
 Ralph Osborne, auditor of the
 state of Ohio, and
 John L. Harper.

On Thursday the 5th of Jan. the counsel for
 the bank asked and obtained a rule, that Ralph
 Osborne, auditor of the state of Ohio, and John L.
 Harper, shew cause, on Tuesday following, why an
 attachment should not issue against them, for a
 contempt of court, in disobeying an injunction,
 allowed in this court in September last, to stay the
 execution of the tax law of Ohio.

On Tuesday, agreeable to rule, J. C. Wright, esq.
 on behalf of the state of Ohio, appeared and shew-
 ed cause. He read the affidavits of Osborne and
 Harper, from which, in connection with papers,
 it appeared—that the injunction was allowed
 on the 14th of September, to stay the auditor
 from proceeding to charge the tax, &c. on the
 15th of the same month—that a subpoena in chan-
 cery, in the common form, issued for Osborne to
 appear at Jan. term, &c. on which subpoena was
 endorsed, by counsel, a statement of the *object*
 of the bill &c. to obtain an injunction, &c. and that
 bond and security had been filed according to law,
 but it no where appeared that any injunction had
 been allowed by the court—the subpoena was serv-
 ed on the 15th by one M'Dougal, an agent of the
 marshal, before which, on the same day, the audi-
 tor had proceeded to charge the tax, and to issue
 a warrant for its collection which he then held in
 his possession—that he therefore sent the papers to
 the secretary of state at Chillicothe, requesting
 him to exhibit the papers to counsel, and if the pa-
 pers served amounted to a legal notice of an injunc-
 tion, to return them, otherwise to give the warrant
 to Harper for execution, according to the state law.
 That said papers were shewn to Messrs. Dood-
 ridge, King and Atkinson, who gave their written
 opinion that the papers served on the auditor did not
 amount to legal notice of an injunction, that there-
 upon the warrant was given to Harper for execution,

when the auditor's duties under the act were completed—that, on the 8th Sept. a writ of injunction and a copy of the order of court allowing it, were, issued from the clerk's office, bearing that date, enjoining the auditor, his agents, &c. from proceeding to charge the tax &c. on the 15th (three days before) which were served on the auditor on the 8th—that the auditor was required by the state law, and under a penalty of a thousand dollars, to execute the duties imposed on him: but that he would have obeyed any legal injunction, which would have excused him from doing that duty—and that no *intention* was felt to offer a contempt to the court, or disobey its process.

Mr. Wright proceeded to take a brief view of the conduct of the officers of the state, justifying their proceedings, &c. He raised for the consideration of the court, the following points, viz.

1st. That the proceedings were upon the face of them, and in fact, against the state of Ohio, of which the court had no jurisdiction.

2d. That papers served were irregular—served by a person having no authority, and imposed no legal obligation to obey them—and that they plainly imported that no injunction had been allowed.

3d. That if, under the circumstances, the auditor had contravened the injunction, he could not be liable for a *contempt*, because he had no *intention* to commit one: and

4th. As to Harper, that he was not a party included in the injunction, nor bound in any way by its advice, not being the agent, attorney, servant, &c. of the auditor, but a public officer, independent of his control, or of accountability to him.

In support of these positions, he cited—the *state laws* regulating the duties of auditor, &c. and levying the tax.—*Harrison's Chancery - U. S. vs. Judge Peeters*, (Olmstead's case)—*5th Cranch* 115, and *Clark vs. Holmes' ex'rs.* in Virginia—*2d Henning and Mun.* 23. After he had concluded, upon the application of the counsel for the bank, and by consent, the further argument was postponed to the next day.

On Wednesday, Messrs. *Scott and Greer* replied to Mr. Wright, and insisted to have the rule for an attachment made absolute. They cited the case of *Kennedy vs. Brent*, 6th *Cranch*, 187. and Mr. Doddridge concluded the argument for the auditor.

On Thursday morning the court observed, that inasmuch as the investigation involved important legal and constitutional enquiries, the case would be taken under *advisement* till September term next.

Respect to Com. O. H. Perry.

FROM THE COLUMBIA (S. C.) TELESCOPE.

Proper honor to the virtuous dead has been considered, from the earliest ages, as the first and highest duty of a generous and magnanimous people. Whatever the fate of the warrior, the statesman, or the man of science—he who added to the glory or renown of his country, his death was consecrated with the tears of his friends, and his pallid brow twined with the evergreen of his countrymen, the farewell tribute to departed worth. A tribute of respect of this nature was paid to com. OLIVER H. PERRY, in the house of representatives of this state, on Saturday last. Mr. HAMILTON (of Charleston) rose from his seat, and spoke as follows—

Although the resolutions I am about to submit to the consideration of this house, have no relation to the topics of internal improvement and judicial reform, which have claimed such an engrossing in-

terest, yet I should be libelling its patriotism and feeling if I presumed their import could be productive of any other emotion except a sympathy the most tender—a respect the most profound. It will not be claiming, I hope, an undue portion of your time, that a few moments should be employed in an act of justice to the memory of a deceased hero, and of laying a votive garland at the pedestal of his urn. It will be deemed no misapplication of these moments, if we can forget, for a short period, the cold calculation of profit and loss, by approaching with pious patriotism, the hallowed sanctuary of the grave, and of giving to the recollection of our Perry, the tribute of our sympathy, admiration and respect—A hero of incomparable and delightful worth, whose reputation it behoves us to canonize, whose memory it becomes us to adore. The propriety of these resolutions is strongly enhanced, when it is recollected that the super-eminent estimation in which the services of commodore Perry are held by the people of this state, has never been embodied in any public demonstration of respect. What was before an obligation of justice, becomes an office of gratitude, a mournful duty of bereaved and lamenting patriotism.—There is something of a salutary tendency in paying honors to the memory of the illustrious dead.—In bringing to our view those distinguished benefactors of our country, whose services are the themes of its glory, whose example is an undying moral for its instruction.—The incense which rises from the altars of public gratitude, is no idle perfume which wastes and dissipates itself in the air, but it conveys a consoling balm to afflicted friendship, an exhilarating stimulus to ambition, an encouraging reward to patriotism.

If the fame of commodore Perry was not the property of his country, if his name was not stamped on the history of the times in which he lived, if the incidents of his life did not belong to that species of universal and public biography, into which we look for living examples of every thing that is good and great, I might feel the impropriety of any longer occupying your time. I know not but what some apology may be necessary for even saying a single syllable on the achievement which has rendered his name so distinguished. But it is a theme which will sustain repetition, and I envy not the feelings of that man who calls himself an American, and yet can be indifferent to a topic so pre-eminently glorious to our country. As great as the victory of the 10th of September was, there was any thing but the predominance of good fortune in the circumstances which led to its splendid consummation. It was fought seemingly against an accumulation of embarrassing circumstances, and the most prominent of them was, that the hero, a youth of but six-and-twenty, should have been compelled to assume the responsibility of determining when the contest for supremacy on the lake should be brought to a decision. It is an invidious task to give offence to the living, even in doing justice to the dead, but I am asserting no more than a fact of very general notoriety among those who enjoyed the intimacy of commodore Perry, that the navy department placed him in this critical situation. But responsibility acted on his as on all noble minds, as an additional incentive to the performance of his duty.—The sublime motto of the dying Lawrence was unfolded “in thoughts that breathe and words that burn”—“He met the enemies of our country and made them ours.”

Let the classic enthusiast for the glory of antiquity, and the admirer of the history of modern Europe, unite in their invidious labors to find that

at other times, and by other men, our achievements have been eclipsed by a surpassing greatness. How impotent will be the malevolent industry of their researches. The history on lake Erie is a great and noble work, and time, in the language of another, which is destroying other fabrics, shall pass harmlessly by its adamant. Where is there an instance on record, of a commander sustaining, almost exclusively, the brunt of a naval engagement in his own ship, fighting her to a ruin and desolation, that bordered on absolute annihilation, and of then leaving her, in an open boat, exposed to an incessant fire, to obtain a fresh ship to commence again the bloody and doubtful strife? Where is there a parallel transaction in the annals of naval warfare of a greater part of a whole squadron surrendering to a single vessel thus commanded and thus gloriously led? Whether we regard the slender resources from which this victory was organized, the youth of the hero who accomplished it, its mighty completion, (for it scarcely permitted the escape of one of the enemy to tell the tale of their own defeat) the humanity and magnanimity displayed by our commander, it will stand a proud and enduring monument on the waste of ages. Other victories, characterized by a larger aggregation of forces, may have been attended with an ampler flow of blood; but where is there an achievement in which disparity of numbers is so much and so eminently contrasted, with a result so complete and overwhelming? Where is there a contest in which the hero stands forth in such high and prominent relief—where the event is so much to be referred to his own individual efforts and combinations?—Where is there so bloody, yet so pure a conflict? Where is there one in which the sword gleamed with a more awful splendor, or where its lightnings were succeeded by a tenderness so kind, a humanity so soothing, a magnanimity so heroic?—

"Far seen shall blaze the unextinguished ray,
A mighty beacon lighting glory's ways;
With living lustre this proud land adorn,
And shine and save through ages yet unborn."

When this sanguinary conflict had ceased, our hero seemed to have lost all recollection of the personal glory he had won, in the benignant philanthropy which animated his noble heart, to the unfortunate who had fallen by the dreadful chances of war into his power. He hastened to the almost dying Barclay, to see not alone what wounds of the body he could staunch, but how the agony of a noble mind could be consoled at the moment of defeat and despair; and here succeeded one of those episodes in the "Iliad of war" which is worth all its blood and clamorous renown. The cabin of the British hero, where on a pallet he was stretched, suffering, bleeding, yet uncomplaining, was the scene of an interview which proved the falsity of the charge that the "age of chivalry is gone."—Here was to be seen the conqueror without the flush of victory burning on his cheek, but with the tear of sympathy trembling in his eye. Here was to be seen the vanquisher subdued. Magnanimity paying tribute to fortitude and misfortune. May the moral beauties of this scene in all their harmony of coloring, be consigned to the pencil of an artist, who, in feeling the enthusiasm of his subject, shall give it glowing and eternal to the canvas.

Those who knew commodore Perry were little disposed to think that the career of his glory was to end with the achievement of which I have been speaking. They separated the merits of the man from his fortunes, and found an abiding energy in the former to control the most envious adversity the latter might assume. An admirable intellect

—an unconquerable spirit—a sentiment of glory which burnt with Roman intensity, were his; with a devotion to his profession, and a love of country, bordering on the most romantic and elevated pitch of enthusiasm. His friends, conscious that although he was "a finished man," there was yet a salient principle in his character, which promised an unbounded richness and vigor, with the sanguine folly of our nature, went on calculating on new opportunities of distinction—laurels of brighter verdure—efforts of more heroic patriotism. The blossom of youth was yet his, and there was a seeming plausibility in these fond hopes. But, alas! "what shadows are we, and what shadows do we pursue?" At a moment when he was engaged in executing the purposes of a highly flattering command, involving diplomatic and naval functions of critical nicety and importance, he was torn from us in the full vigor of his faculties—in the very spring of his existence—in the possession of every thing to render that existence valuable, and to endear him to his country and his friends. A fell and relentless disease, engendered in an inhospitable clime, where he was commissioned to carry the trident of his country, has taken him from us forever. Would to God, his doom being irrevocable, that it had been permitted him to have perished with the soul-sustaining incitement of battle and its glories! From the pen of one who had the mournful honor of solacing our hero in his last moments, I have seen a narrative of the lamentable event we deplore. The warrior, who has been accustomed to contemplate the approach of death in the gorgeous drapery of war, has seldom that patient philosophy which enables him to meet our last sad enemy with tranquility and firmness, when coming in the garb of a halting and loathsome disease. He has no other anticipation of the extinction of life except on the bed of honor, where the debt of nature is paid in the sterling coin of immortality. Thus it is, "that life's closing scene" so often reads us an instructive lesson on the futility of our pride, and renders "the fears of the brave" something more serious than a splendid paradox. The hero of lake Erie maintained the unity of his noble character to the last. Although the solace of glory was taken from him—although suffering under a disease, whose mandate was irreversible, whose progress was agonizing, the effects of which were enervating in the extreme—yet his last moment was a triumph of Christian philosophy. To the gallant youths who surrounded him, to catch his last look and blessing, he seemed desirous of exhibiting the humility, yet firmness, with which a soldier should die. How pathetically, how eloquently was the example enforced! The spirit of our hero took its flight from that noble and fascinating form, which it had once illumined by the presence of every manly grace and virtue, with a consoling and instructive serenity—with a complacency which gave evidence that it was about to wing its way to those bright realms prepared for the good and the brave.

I thank you, sir, for the indulgence you have shown me on this occasion. I thank this house for its kind and feeling attention. In addressing you with the privilege of friendship, I may not have been destitute of its partialities. It was in the nature of the disposition and character of the man to whose merits and memory I have made this feeble offering, to render every one partial to him who shared his intimacy and acquaintance. For it might indeed be said of him, most emphatically, that he was "born to be loved." The period of our boyhood was passed in a frequent association, and

when he rose to distinction, he had too much magnanimity to forget the undistinguished companions of his earlier days. He seemed to seek these friends with endearing partiality, as if it were possible to confer on them a portion of his prosperity and renown. The rays of glory which were collected on his brow, shot no envious gleams to dazzle and subdue, but they diffused a moonlight serenity, mild, tender and recreating, which led to confidence and ended in affection.—He indeed wore his laurels with a modesty so sincere and unaffected, that of all men he appeared the most ignorant of their existence, or of the mighty and unanswerable claim he had put in for immortality. I have no right to detain you any longer with a summary of his private virtues. If I had, I might invite you to the cheering verdure which once brightened his domestic repose, on which the heart could dwell with lingering delight. I might refer you to his home, for this was a sunny spot without a cloud—a sky of changeless azure. But these recollections would give me a melancholy admonition that he was no longer there—that this moral landscape had faded from the pained and aching vision, and had sunk into the shades of an eternal night. Yes! they would invade the sanctuary of untold, bleeding and unappeasable sorrows; and would carry his friends in a mourning and softened fancy to that distant shore where his remains are inurned—where that fine heart, with all its late “open and generous vessels, is mouldering into a clod of the valley.” But, although he is no more—although our banner shall never wave again in triumph over him—he has yet bequeathed to a service he honored his radiant example, to posterity his stainless name, to his country the interesting objects of his unbounded affection.

It is, sir, with feelings at once subdued by the sorrows of this sad occasion, but at the same time cheered and elevated by the encouraging sympathy of this house, that I offer the following resolutions:

WHEREAS, the legislature of this state, deeply sensible of the steady patriotism, distinguished services, and admirable abilities of commodore OLIVER H. PENNY, are desirous to give a public expression to the regret which the lamentable event of his death on board a United States ship at Port Spain, Trinidad, in August last, has occasioned—

Be it therefore unanimously resolved, that in the opinion of this legislature, his death has deprived our navy of an officer pre-eminently calculated to advance the reputation of its service, and to uphold the honor of his country.

Resolved, unanimously, that we have ever contemplated the conduct of commodore Perry, in that brilliant achievement with which his name is imperishably identified, with feelings of unmingled admiration, excited as well by the skilful combination and daring valor which led to the almost unparalleled result, as by the tender and ennobling magnanimity of its hero when conquest had left him nothing to subdue.

Resolved, unanimously, that our delegation in congress be requested to co-operate in any measures that may perpetuate the gratitude of the country to the memory of commodore Perry; whether such gratitude be evinced by the erection of columns to his fame, or by a liberal enquiry of what provision it may be proper to make for his bereaved mother, wife, and children.

Resolved, unanimously, that a committee be appointed to inclose a copy of these resolutions to our members at Washington, signed by the president and speaker, and that a copy be also sent to

the family of commodore Perry, that they may be assured of our condolence in that grief in which the whole country participates.

Mr. Hamilton, Mr. Izard, Mr. Gadsden, and Mr. Cross, were appointed a committee on the part of the house of representatives.

The resolutions being ordered to the senate for their concurrence, were unanimously adopted, and Mr. Washington, Mr. Bennet, Mr. Alfred Huger, and Mr. P'ou, were appointed a committee on the part of that body to unite with the committee of the house of representatives.

The Great Lakes.

	Medium depth.	Superficial area	Solid contents.
	FEET.	FEET.	FEET.
Superior : :	900	836,335,000,000	752,716,800,000,000
Muron : :	900	577,568,000,000	501,811,200,000,000
Michigan : :	900	376,838,400,000	339,208,360,000,000
Erie : :	120	418,176,000,000	50,181,120,000,000
Ontario : :	492	200,724,480,000	98,756,444,160,000
St. Lawrence, and other rivers and smaller lakes	}	41,176,000,000	85,520,000,000,000
		2,430,894,880,000	1,742,737,644,160,000

Lake Superior, in its greatest length, is 381 miles; its breadth is 161; and its circumference is little less than 1152 miles—it is as remarkable for the transparency of its waters as for its extraordinary depth.

Lake Huron, from west to east, is 218 statute miles long; at its western extremity it is less than one hundred miles broad; and, at about one hundred miles from its eastern shore, it is barely 60 miles broad; but near the centre it suddenly bends away to the southward, and is 100 miles in breadth; making a circumference of little less than 812 miles.

Lake Michigan deepens into a bay of 262 miles in length, by 65 in breadth; and its entire circumference is 731 miles.

CONGRESS.

IN THE SENATE.

February 18. Mr Burrill gave notice that he should on Monday ask leave to introduce a bill further to extend the judicial system of the United States; and also a bill more effectually to provide for the punishment of certain crimes against the United States, and for other purposes. [The same bills that last session past the senate, and were sent to the house of representatives for concurrence, but not acted on there.] The bills were presented on Monday.

The bill for the admission of Maine into the union was read a third time as amended (by incorporating therein the provisions respecting a state government for Missouri) passed, and sent to the house of representatives for concurrence in the amendment; and then

The senate adjourned to Monday.

February 21. Mr. Sanford, from the committee on finance, made a detailed unfavorable report on the petitions of sundry merchants of Savannah, who prayed a remission of duties which have accrued on goods destroyed by the late fire in that city. The report was read, and ordered to be printed.

The senate took up the bill for continuing for a limited time the present charter of the city of Washington, and having amended the same by extending its continuance to March 3, 1821, (unless sooner repealed,) the bill was ordered to be engrossed for a third reading.

Mr. Wilson submitted a motion to instruct the post office committee to enquire into the expediency of allowing to the president of the senate pro tempore, and the speaker of the house of representatives, for the time being, the privilege of franking, as at present by law enjoyed by the vice president of the United States; and

The senate adjourned.

HOUSE OF REPRESENTATIVES.

Friday, Feb. 18. Amongst the subjects this morning presented and referred, was a memorial handed in by Mr. Garnett, from "the Virginia society for promoting agriculture," in opposition to the numerous petitions which have been presented at the present session for additional duties on foreign goods, with a view of protecting the domestic manufacturing interest. Numerous petitions have from time to time been presented from citizens of the commercial towns, praying the imposition of duties on auction sales.

Mr. Williams from the committee of claims, made a report on the petition of the Stockbridge Indians of New-York, accompanied by a bill allowing them compensation for military services during the late war; which was twice read and committed.

Mr. Meigs, of New-York moved for the consideration of a proposition submitted by him, a few days ago, for making a certain appropriation of the public lands, (for the gradual abolition of slavery;) and was proceeding to assign reasons why he thought such a proposition ought to be adopted, when the speaker suggested to him, that in moving for the consideration of any proposition lying on the table, it was not in order to debate it. From this decision Mr. Meigs appealed to the house; and, the question being put, the decision of the speaker was affirmed by a large majority. The question was then taken on Mr. Meigs' motion, to proceed to consider his proposition, and decided in the negative, without a division.

The house then again resolved itself into a committee of the whole, Mr. Baldwin in the chair on the Missouri bill.

Mr. Lowndes, of S. C. rose and addressed the committee, in a speech of more than three hours, against the right and expediency of the proposed restriction,

The committee then rose on motion of Mr. Plumer, of N. H. and

The house adjourned.

Saturday, Feb. 19. Mr. Cannon submitted the following resolution;

Resolved, that the secretary of war be directed

to lay before this house, a statement of the whole number that have been educated at the military academy since its first establishment, from the district of Columbia, also from each state and territory in the union; the number now at said academy, from the district, and from each state and territory; and the number that are now in the army or navy of the United States, that have been educated at said academy, and the place or appointment each fills in said army or navy; also the number now at said academy that are orphans of those who have fallen in defence of their country, or died in its service during the late war; and the district, state or territory (if they are any) they are from Also, to state the whole amount including pay, subsistence and every other expenditure made by the general government, on account of said institution, from its first establishment up to the present time.

It was suggested by Mr. Rich, that a part, if not the most of the information requested had already been submitted to the house, and he proposed that the motion should lie on the table. Agreed to—67 to 42.

The house took up the amendments of the senate to the bill for the admission of Maine—which amendments propose to authorise, by the same bill, the people of Missouri to form a state government, without the slave restriction, but containing a clause to exclude slavery from all the territory west of the Mississippi, which lies north of 36½ degrees of north latitude except the proposed state of Missouri.

Mr. Taylor moved, that the amendments of the senate be disagreed to by the house.

Mr. Scott, of Missouri, moved that they be committed to the committee of the whole, which at present has under consideration the Missouri bill of this house; (which motion had precedence of the motion to disagree.)

On these motions a long and animated debate took place. Mr. Holmes hoped the amendment would not be committed—he thought there were at least thirty speeches yet to be delivered on the restrictive proposition, and that the time allowed by the legislature of Massachusetts (the 3d of March) might pass, before the admission of Maine could be acted upon, &c. Mr. Culpepper was willing to admit Maine unconnected with Missouri, but he thought the amendment proposed by the senate should take the usual course—Mr. Smyth of Va. moved that the matter should be postponed until Monday week—which motion was lost. He then moved until next Monday, also lost. Mr. Edwards, of N. C. was in favor of commitment. Mr. Strother was against an immediate decision on the amendments—he thought the house, occupied with the restrictive proposition, was not at present prepared to decide. Mr. Livermore was decidedly opposed to the connection of the bills, as made by the senate, and deprecated the feelings which it must give rise to. Mr. Whitman (from the district of Maine,) opposed the commitment very earnestly—he said that he could scarcely trust himself to speak of the amendments. Mr. Storrs was in favor of a compromise, but he would not agree to that on compulsion, and opposed the commitment. He thought it right to act upon the subject at once—he would not abandon the right of giving a distinct and unshackled vote for the admission of Maine. Mr. Simkins said that time ought to be allowed for reflection—the senate should be respected, and he was in favor of a commitment. Mr. Gross, of N. Y. expressed his opinion freely—he thought that the conduct of the senate did not do

serve respect in this matter—he was interrupted by the speaker—he then said that he wholly disapproved of the amendments, &c. Mr. *Walker*, of N. C. said a few words in favor of a commitment. Mr. *Mercer* supported the right of the senate to make such amendments—and said ‘if the proposition be the olive branch of peace on the most momentous question that ever agitated the councils of this nation since the foundation of the government, was it proper thus to treat it?’ He was in favor of a commitment. Mr. *Sergeant* was for an immediate decision—if the house respected itself, it would act promptly. Could gentlemen seriously call these things amendments—it would be just as proper to annex them to a pension law or a bankrupt bill. Mr. *Smith*, of N. C. said the course taken by the senate was not unusual, and he doubted if that body would recede. Mr. *Smith*, of Md. opposed the commitment as useless—he thought no benefit could attend it. Mr. *Brown*, of Ken. was for allowing time—he condemned the disposition to coerce the house to act so promptly. Mr. *McLane*, of Del. was favorable to a commitment, though opposed to the junction of the admission of Maine with that of Missouri. He wished for time—and was desirous of settling the matter by a compromise—if now forced to vote he should be compelled to vote against both provisions, &c.

The question was then taken on committing the bill and amendments, and decided in the negative, by yeas and nays, as follows:

YEAS—Messrs. Abbot, Alexander, Allen, of Tenn. Anderson, Archer, of Md. Archer, of Va. Barbour, Bayley, Bloomfield, Brevard, Brown, Bryan, Burwell, Butler, of Lou. Cannon, Cobb, Cooke, Crawford, Crowell, Culbreth, Culpepper, Cuthbert, Earle, Edwards, of N. C. Ervin, Floyd, Garnett, Hall, of N. C. Hardin, Hooks, Johnson, Jones, of Va. Jones, of Tenn. Kent, Kinsey, Little, Lowndes, McCoy, McCrary, McLane, of Del. McLan, of K. n. Mercer, Metcalf, Neale, Nelson, of Va. Newton, Overstreet, Pindall, Quarles, Rankin, Reed, Rhea, Ringgold, Robertson, Shaw, Simkins, Slocomb, B. Smith, of Va. A. Smyth, of Va. Smith, of N. C. Strother, Swearingen, Terrill, Tucker, of Va. Tucker, of S. C. Tyler, Walker, of N. C. Warfield, Williams, of Va. Williams, of N. C.—70.

NAYS—Messrs. Adams, Allen, of Mass. Allen, of N. Y. Baker, Baldwin, Bell, Bateman, Beecher, Boden, Brush, Buffum, Burton, Butler, of N. H. Campbell, Case, Claggett, Clark, Cook, Crafts, Cushman, Darlington, Davidson, Dennison, Dewitt, Dickinson, Dowse, Eddy, Edwards, of Can. Edwards, of Penn. Fay, Fisher, Folger, Foot, Forrest, Fuller, Fullerton, Gross, of Va. Gross, of Penn. Guyot, Hackley, Hall, of N. Y. Hazard, Hemphill, Hendricks, Herrick, Hishman, Hiest-r, Hill, Holmes, Hostett-r, Kendall, Kinsley, Lathrop, Lincoln, Linn, Livermore, Lyman, Macfar, Mallary, Marchand, Martin, Meech, Meigs, R. Moore, S. Moore, Monell, Morton, Mosley, Murray, Nelson, of Mass. Parker, of Mass. Parker, of Va. Patterson, Phillips, Plumer, Pitcheer, Plumer, Rich, Richards, Richmond, Rogers, Ross, Russ, Sampson, Sergeant, Settle, Silsbee, Sloan, Smith, of N. J. Smith, of Md. Southard, Stevens, Storrs, Street, Strong, of Vt. Stroug, N. Y. Tarr, Taylor, Tomlinson, Tompkins, Tracy, Upham, Van Rensselaer, Wallace, Wendover, Whitman, Wood—107.

Mr. *Smith*, of Va. then moved to lay the amendments on the table, and print them, that the house might at least see what it was called on to decide; which motion was also lost—ayes 77, noes 96.

The question recurring on the motion to disagree to the amendments:

Mr. *Simkins* moved that the amendments be postponed to Tuesday, and be printed; declaring that he was wholly unprepared at present to vote on the subject; and supported his motion in a speech of some length. The motion was assented to by Mr. *Taylor*, and supported by Messrs. *Rhea*, *Culpepper*, *Stevens*, *Storrs*, and *Baldwin*; the last named gentleman, among other remarks, denying that the amendment called a *compromise*, could be called so with propriety, inasmuch as it was consistent with the constitution, and the whole course of legislation for thirty years.

The motion to postpone it was opposed by Messrs. *Whitman*, *Livermore*, and *Holmes*, because they were opposed to any delay, as it might endanger the fate

of the Maine bill, which they desired to have separated from the other subject immediately, and disposed of as justice and fairness required.

The question being taken on postponing the bill to Tuesday, and printing the amendments, was carried by a majority; and

The house adjourned.

Monday, Feb. 21. Mr. *Smyth*, of Virginia, in pursuance of instruction from the committee on military affairs, moved the adoption of the following resolution.

Resolved, That the president be requested to cause to be prepared and submitted to congress a system of regulations for the government of the military academy at West Point.

After a good deal of conversation, the proposition was recommitted to the committee on military affairs, with instruction to report to this house a system of regulation for the government of the academy.

Mr. *Reid*, of Georgia, submitted for consideration the following resolution.

Resolved, That the president of the United States be requested to impart to this house any communications touching the Florida treaty, which may have been received from our minister plenipotentiary at the court of Spain, which have not been heretofore communicated, and which, in his opinion, it may not be inconsistent with the public interest to communicate.

The resolution was laid upon the table—65 to 62.

After other business of no present importance—

The house then resumed, in committee of the whole, Mr. *Baldwin* in the chair, the consideration of the *Missouri* bill and the proposed amendment.

Mr. *Plumer*, of New Hampshire, rose and spoke more than two hours in favor of the restriction.

Mr. *Edwards*, of Connecticut, followed on the same side, and spoke about half an hour; when the committee rose; and

The house adjourned.

Tuesday, Feb. 22. On motion of Mr. *Reid*, the house agreed, by a vote of 77 to 59, to consider the following resolution offered by him yesterday:

Resolved, That the president of the United States be requested to impart to this house any communications touching the Florida treaty, which may have been received from our minister plenipotentiary at the court of Spain, which have not been heretofore communicated, and which, in his opinion, it may not be inconsistent with the public interest to communicate.

Mr. *Randolph*, presuming that the object of the resolution was to obtain generally such information as the executive had received touching the treaty, (with the reservation expressed in the last part of it) he suggested to the mover the propriety of omitting that part of the motion which confined the call to information received from our minister at Madrid.

Mr. *Reid* acquiesced in the suggestion; and, thus modified, the resolution was adopted, and a committee of three appointed to present it to the president.

Mr. *Lowndes* offered the following resolution for consideration:

Resolved, That the committee on naval affairs be instructed to enquire into the expediency of extending to the widow of captain Oliver H. Perry, the provision which is now made by law for the widows and children of naval officers who die from wounds received in action.

Agreed to—nem. con.

Mr. *Randolph*, after a splendid compliment to *Capt. Hull*, who, he said, had "first broken the steel plate, the coria, of British invincibility" on the ocean—he "believed that old England would consent that forty Pakenhamis, with all their legions, should have been buried in the alluvial lands of the Mississippi, to take back the single action of the Guerriere, because that action had done more than any thing else to open the eyes of Europe"—next in glory to this was the battle on Erie—"One had shewn the way to victory with single ships, the other in fleets."—moved the following resolution, which was cordially concurred in by Mr. Lowndes:

Resolved, That provision be made by law for the support of the family of the late Oliver Hazard Perry, esq. of the United States' Navy, and for the education of his children.

Mr. *Hazard*, of Rhode Island, did not rise to say much on a subject, which he said he could scarcely trust himself to speak on at all. But he rose to offer his thanks to the gentleman from Virginia and the gentleman from South Carolina, in behalf of the name of Perry—to thank them in behalf of the state which gave him birth; to thank them in the name of his amiable widow; to thank them in the name of their common country.

The resolution was adopted; and,

On motion of Mr. *Randolph*, a committee of three was appointed to bring in a bill in pursuance thereof.

The bill to alter the place of holding circuit and district courts of Ohio, was, after some remark and opposition, passed and sent to the senate.

The house resumed the consideration of the amendments of the senate to the Maine bill (proposing to incorporate therein the Missouri bill, embracing the amendment called the compromise, &c.)

The amendments having been read;

Mr. *Randolph* delivered a speech of more than two hours length, against the feature of the amendments of the senate, which proposes to exclude the further migration or transportation of slaves into any of the territories of the United States north of 36 degrees 30' north latitude.

Mr. *Rhea* commenced a speech; but, from the lateness of the hour, after two or three unsuccessful divisions on motions for the purpose—

The house adjourned.

Wednesday, Feb. 23. [Amongst the papers presented to the house yesterday, was a representation, introduced by Mr. *Holmes*, signed by John Holmes, Martin Kinsley, Mark Langdon Hill, James Parker, Joshua Cushman, and Ezekiel Whitman, members of this house, from that part of Massachusetts hitherto known as "the district of Maine," respectfully urging congress, for the reasons therein stated, as speedily as possible, to decide the question of the admission of the said district into the union as a separate, sovereign, and independent state; which was read and ordered to lie on the table.]

Mr. *Smith*, of Md. from the committee of ways and means, reported a bill making appropriations for the support of government for the year 1820; which was twice read and committed.

A bill to authorise the president to appoint a register and receiver for Howard county, Arkansas territory was twice read and laid on the table.

The bill from the senate to extend the duration of the existing charter of the city of Washington to 1821, (unless sooner repealed,) was read three several times, and returned to the senate.

The house then resumed the consideration of the amendments of the senate to the bill for the admission of Maine into the union, (as amended by the senate so as also to admit Missouri.)

Mr. *Rhea* spoke about an hour on the subject, particularly on the inapplicability of the ordinance of 1787, to the territory west of the Mississippi.

The question on disagreeing to the senate's amendments was divided, on motion of Mr. *Taylor*, so as to take first the sense of the house, substantially, on the question of disagreeing to the union of the Missouri bill with that of Maine, and the question was decided by yeas and nays, as follows:

For disagreeing to the union of the two bills—

Messrs. Adams, Allen, Mass. Allen, N. Y. Beecher, Boden, Brush, Bullfinch, Butler, N. H. Campbell, Case, Cleggett, Cook, Crafts, Cushman, Darlington, Demisson, Dewitt, Dickinson, Dowse, Eddy, Edwards, Con. Edwards, Penn. Fay, Folger, Forrest, Fuller, Fullerton, Gross, N. Y. Gross, Penn. Guyon, Hackley, Hall, N. Y. Hazard, Hemphill, Hendricks, Herrick, Hishman, Hill, Holmes, Hostetter, Kendall, Kinsey, Kinsley, Lahrop, Lincoln, Linn, Livermore, Lyman, Machy, M'Lane, Del. Mallory, Marchand, Mason, Meach, R. Moore, S. Moore, Monell, Mosley, Murray, Nelson, Va. Parker, Mass. Patterson, Phelps, Philson, Pitcher, Plumer, Rich, Richards, Richmond, Rogers, Ross, Sampson, Sargeant, Silsbee, Sloan, Smith, N. J. Southard, Stevens, Storrs, Street, Strong, Vt. Strong, N. Y. Tarr, Taylor, Tomlinson, Tompkins, Tracy, Upham, Van Rensselaer, Wallace, Wendover, Whitman, Wood—93.

Against disagreeing to the union of the bills—

Messrs. Abbot, Alexander, Allen, Tenn. Anderson, Archer, Md. Archer, Va. Baldwin, Hall, Barbours, Bayly, Bloomfield, Brevard, Brown, Bryan, Burton, Burwell, Butler, Lou. Cannon, Cobb, Cooke, Crawford, Culpepper, Culbert, Davidson, Earle, Edwards, N. C. Ervine, Fisher, Floyd, Gannett, Hardin, Hooks, Johnson, Jones, Va. Jones, Tenn. Kent, Little, Lowndes, McCoy, McCrary, McLean, Ky. Meigs, Mercer, McGeel, Neale, Newton, Overstreet, Parker, Va. Pinckney, Rankin, Reed, Rhea, Ringgold, Scille, Shaw, Sinkins, Slacum, Smith, Md. B. Smith, Va. A. Smyth, Va. Smith, N. C. Slaughter, Swearingen, T-rell, Trimble, Tucker, Va. Tucker, S. C. Tyler, Walker, N. C. Warfield, Williams, Va. Williams, N. C.—72.

So the house disagreed to that amendment of the senate which proposed to annex the Missouri bill to the Maine bill.

The question was then taken on disagreeing to the residue of the amendments of the senate, (the details of the Missouri bill) with the exception of that which embraces what is familiarly called the compromise amendment, and decided also by yeas and nays, in the affirmative as follows:

For disagreeing 102

Against it 68

The question was next taken on disagreeing to the 9th and last section of the amendments of the senate, (being that which proposes to exclude slavery from all the territory west of the Mississippi, and north of 36° 30' north latitude, excepting within the limits of the proposed state of Missouri); and was decided by yeas and nays, in the affirmative, as follows:

For disagreeing 159

Against it 18

Thus the house rejected all the amendments of the senate to the Maine bill.

The house then again resolved itself into a committee of the whole, Mr. *Baldwin* in the chair, on the Missouri bill—the proposed restriction being still under consideration.

Mr. *Edwards*, of Connecticut, resumed the argument which he commenced on Monday, in favor of the restriction, and spoke about half an hour in continuation.

Mr. *Jones*, of Tennessee, next took the floor, and spoke some time against the restriction; when,

The committee rose, by a close vote; and, about 3 o'clock,

The house adjourned.

THURSDAY'S PROCEEDINGS.

In the senate—Not much business of general importance has been transacted in the senate since Monday, except that on Wednesday Mr. *King*, of N. Y. presented a memorial from general Andrew

Jackson relative to the report made by a committee of the senate at the last session, which was laid on the table. On the same day also, Mr. Johnson, of Ky. offered certain resolutions to aid the projected improvements of the navigation of the Ohio river, which we have not time to notice in detail just now. On Thursday, the bill respecting the admission of Maine, as rejected by the house of representatives, came up for consideration. We have not received the particulars of the proceedings—but the consideration of the matter was postponed until next day.

In the house of representatives four hours were spent on the Missouri bill. The speakers were Messrs. Fuller, of Mass. and Baldwin, of Pa.

The secretary of the treasury has made his report on the currency—it occupies 73 pages, besides the tabular statements—he is wholly opposed to a paper system. Good! When this document is received, we may lay it before our readers.

In introducing his motion the other day to enquire into the expediency of limiting the quantity of public land brought into market, Mr. Walker, of N. C. made the following remarks:—he said he had heard great complaints against the present mode of exposing to sale the public land; that the present system opened a door for speculation, and that great speculations had been actually made in the purchase of public lands. He believed that the greatest defect in the system was, that there was too much land brought into market; which afforded an opportunity to purchasers to make large speculations in the purchase: the object of the resolution was to limit the quantity offered for sale, to prevent further abuses, and prevent too great an extension to purchasers. He was not friendly to an alteration of the price or manner of sale of the present land law, but believed that a limitation of the quantity would answer every purpose which was contemplated by the desire to alter the present law.

CHRONICLE.

New York. It is announced, that Mr. Tompkins has consented to stand as a candidate for the office of governor at the ensuing election.

A bill is before the legislature to direct the mode of levying executions—the real estate shall be appraised under oath, and it cannot be sold unless it brings three fourths of the amount of the appraisement.

Revenues set apart for the Erie canal. The taxes and duties appropriated for digging this canal have produced the following sums:

Steam boat	For 1817	1818	1819
passengers	\$16,509 93	18,902 70	16,412 44
Salt duty	2,926 28	48,784 27	61,432 11
Vendue duty	7,965 04	145,939 39	111,319 04

Dividend on the stock of the western inland lock navigation canal, \$5,060 in 1818.

The commissioners express an opinion that the tax on steam boat passengers has operated oppressively on the proprietors of the boats, and that they have an equitable claim on the legislature for relief. That the present proceeds of the canal fund are sufficient to pay the interest on a loan of \$3,000,000.

Pennsylvania. The committee appointed to investigate the conduct of the governor, have introduced an elaborate report, acquitting him of all mal-practices, and requesting that they may be discharged from a further consideration of the charges against him.

Virginia. The select committee of the house of delegates to whom was referred the concerns of the treasury, have made a detailed report, by which it appears that the late treasurer of the commonwealth is deficient by the enormous sum of \$122,371 86.

At another meeting of the members of the legislature of Virginia, held on the 17th inst. the following gentlemen were recommended to the support of the people as electors of a president and vice president of the United States—

1. Wm. C. Holt (Norfolk District.)
2. Dr. Ch's H. Graves (Surry.)
3. John Pegram (Dinwiddie.)
4. Robert B. Stark (Greenville.)
5. John Purnall (Prince Edward.)
6. Dr. Branch T. Archer (Powhatan.)
7. Wm. C. Rives (Nelson.)
8. Charles Yancey (Buckingham.)
9. Joseph Martin (Henry.)
10. Wm. Brockenbrough (city of Richmond.)
11. Armstead Hoopes (Caroline.)
12. James Hunter (Essex.)
13. Robert Taylor (Orange.)
14. Isaac Foster (of Fauquier.)
15. Robert Shields, sen. (of York county.)
16. Col. Wm. Jones (Gloucester.)
17. John Taliaferro (King George.)
18. John T. Brooke (of Stafford.)
19. Hugh Holmes (Frederick.)
20. Wm. Armstrong, jr. (Hampshire.)
21. Arch'd Rutherford (Rockingham.)
22. Archibald Stuart (Augusta.)
23. Andrew Russel (Washington.)
24. Charles Taylor (Montgomery.)
25. John Edie (Brooke.)

No resolution of a general nature was proposed.

A well merited compliment. Gen. Peter B. Porter of New York, being lately at Frankfort, Ky after a neat address in commemoration of his services in the late war, by Mr. Wickliffe, was unanimously invited to a seat within the bar of the house of representatives.

Commodore M'Donough.—We are highly gratified in learning, from Gibraltar, that on the late suspension of commodore M'Donough, his crew, with a feeling that is both honorable to them and to their commander, immediately opened a subscription to raise money to purchase for him a sword, and the sum of \$1250 was immediately subscribed, and the money remitted to London with orders to make the same, accompanied by the following mottoes:—

Upon the scabbard, "The gift of the crew of the GUERRIERE frigate to their commander, captain M'DONOUGH, July 8, 1819."—On the blade, "No impressment."—On the outside of the blade, "Sailors' rights."

On hearing of this noble transaction, the commodore was much affected, and feelingly expressed his regret that he could not accept the intended present; but his crew insisted on his compliance, and with increased attachment for the unassuming character of the man who had led many of them to victory, persisted and ordered the sword to be completed with all due expedition.—*N. Y. Gaz.*

Lake Erie and the Ohio river. A bill has passed the senate of Ohio for opening a canal to connect the waters of lake Erie with those of the river Ohio—congress to be petitioned for a donation of land to help on the work.

An act abolishing imprisonment for debt, has passed both houses of the Pennsylvania legislature, been signed by the governor, and is now a law of the state.

Qualities of Stiles' Improved Rotary Steam Engine.

1st. By its simplicity and compactness, a Rotary Steam Engine, of 12 to 18 horse power, will require but a space, (say for engine, boiler, and all the steam and water apparatus) 12 feet square; an Engine of 60 horse power, 18 feet long by 12 wide.

2d. The pumps to supply hot and cold water, the gearing that work the same, and the pipes that conduct the water and steam, being all much more simple than those attached to other Engines, and being all comprised in one view by the Engineer, are, of course, much less liable to be neglected, or to get out of order; and, if any thing should be deranged, he can much sooner discover where the defect may be—as, whilst standing beside the Engine, he is within arm's length of all the other machinery.

3d. When compared with the Engines of Bolton and Watts, Robt. Fulton, and Oliver Evans, the Rotary Engine appears incredibly simple; and to all, but the mind of a mechanic, forbids the idea that a machine, with so few parts, none of which are likely to get out of order, should operate—when such a multiplicity of parts, and extraordinary weight of machinery, (all liable to be rendered useless by the slightest mismanagement or trivial accident) are required to produce a similar effect, by the other Engines.

4th. The Rotary Steam Engine requiring not one half the steam that the others do, its boiler is proportionably smaller; by which the consumption of fuel is reduced to less than one half.

5th. The reduced size and extreme lightness of the Rotary Steam Engine, not only gives it a great preference for vessels that navigate either inland waters or the open ocean, but enables the factor to put it up altogether, not only avoiding the probability of mislaying or losing any of the small articles, but (whether transported by land or water) is prepared, on its arrival, (being previously packed) to be put in operation—whilst other inventions are composed of so many, and such various parts, the loss of the smallest of which would render the whole machine out of order, and none but a person who has served at the business, can erect or work it; and requires to be sent from the factory so disjointed as to be totally inexplicable to all but the Engineer. Again, if any part of the other Engines should be broken, it would require a machinist, with a full set of tools, to repair it; but should any part of the Rotary Steam Engine be broken, it must be in that department where a common blacksmith, or a person of any mechanical mind, provided with a hammer, cold-chisel and file, in a few minutes could repair the damage.

6th. Many Engines erected in the United States have remained long idle; some of which have been entirely destroyed, by the Engineer being unwilling to remain, or demanding exorbitant wages, from a conviction that the work could not proceed without him; or from the proprietor, ignorant of the qualities requisite for an Engineer, employing a person incompetent to the task; but so very few and sim-

ple are the parts of the Rotary Engine, that no person, of ordinary abilities, can view them a second time without being fully informed how they operate, and how to adjust any part deranged,

7th. The motion being directly rotary, there can be no fear, on starting the Engine, of breaking any thing by a too sudden impulse, which is often the case with other Engines, whose crank motion, in mills as well as steam boats, tends to jar and wreck the works attached to them.

8th. Often in the other inventions, boilers have been bursted, and persons destroyed, by the ignorance or neglect of the Engineer: in the Rotary Steam Engine, adjoining the cock that lets the steam on the Engine, a safety-valve is placed, on which a weight is hung, proportioned to the pressure to be borne by the boiler, and whenever the steam is over that pressure, it will escape without the slightest re-action on the boiler.

9th. The numerous small parts of the other inventions cannot be expected to last more than six or seven years, without considerable repairs; but there is no part of the Rotary Engine that will not last for a generation, if preserved from rust, and properly worked.

10th. Many of the other inventions require to be made expressly for the machinery they are to propel, or require great additional works to attach them to any other: but the Rotary Engine made for a saw, a sugar, or a corn mill, can be applied to the one, the other, or all of them, at once; and, at the same time that it is propelling at one end of the shaft either of those mills, the proprietor may have any other machinery attached to the opposite end, without the least detriment: and an Engine made for a mill, can be applied to a steam boat without the least alteration.

11th. Whenever the improper feeding of the mill, or some temporary derangement in the works, would render it dangerous to overcome the same—the Rotary Steam Engine will stop itself, until the Engineer lets on more steam: but other inventions, aided by a ponderous fly or balance wheel, are, at such times, forced beyond their power, often destroying the most essential parts of the machinery, leaving the remainder a useless wreck to those whose remoteness from a factory deprives them of immediate aid.

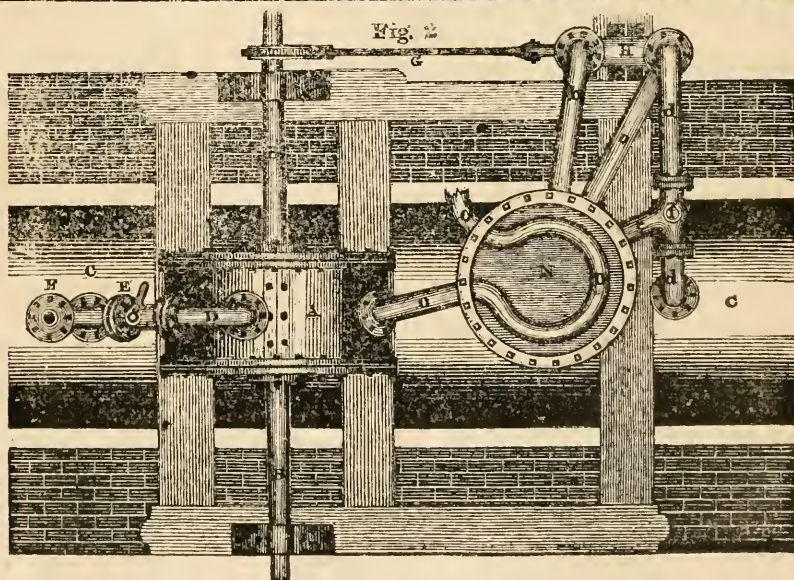
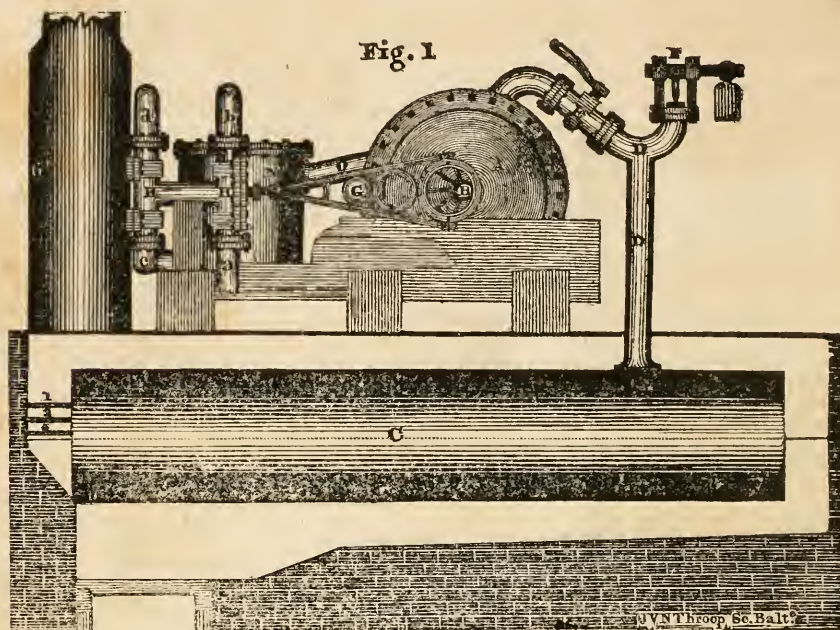
The great difficulty that exists on many sugar plantations of procuring a sufficiency of fresh water, for the steam boiler, and sugar making, is by this Engine and plan of the pumps overcome; for the boiler requiring but very little water, the pump, which draws the water from the well, can supply both the boiler and the sugar maker, unless the well be more than 33 feet deep, in which case the eccentric motion G, which works with the friction of only one piston although it performs four distinct duties can be applied altogether to the steam apparatus, and a crank motion on the same end of the shaft, be applied to a common lifting pump, which can supply all the water required. The expense of such a lifting pump must depend on the depth of the well; the gearing would be very trifling.

An Engine boiler and all the steam apparatus requisite (for a boat) for 20 horse power, would not weigh 7000 lbs. and one of 60 horse, including the weight of water in the boiler, &c. would not exceed 12 tons weight.

The subscriber has at his Factory in this city,

complete setts of Patterns for Engines from 8 to 75 horse power, and can execute any orders for Steam Boats, Mills, &c. in the space of from six weeks to four months; as also orders for sugar, corn or saw mills, with or without Steam Engines.

JOHN S. STILES.



Explanation of Stiles' Improved Rotary Steam Engine, with a horizontal Sugar Mill attached.

A The Engine (in Fig. 1, 2 and 3) is a cylinder containing a proportioned steam wheel, to which are attached valves, which valves are operated on by the steam, and give a Rotary motion to the shaft, the steam then goes off into the condenser or hot water chest N, through the pipe O, and having heated the water then passes into the open air, or where the proprietor may wish.

B The steam shaft passes through the cylinder and the wheel, and receives its motion from the latter.

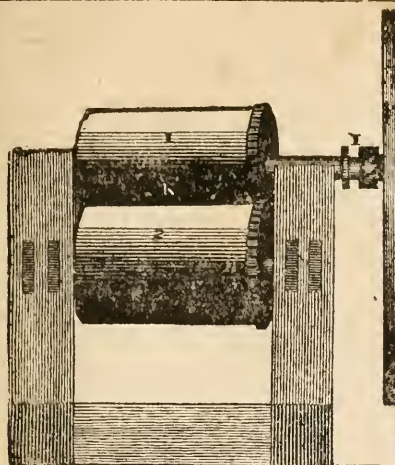


Fig. 3

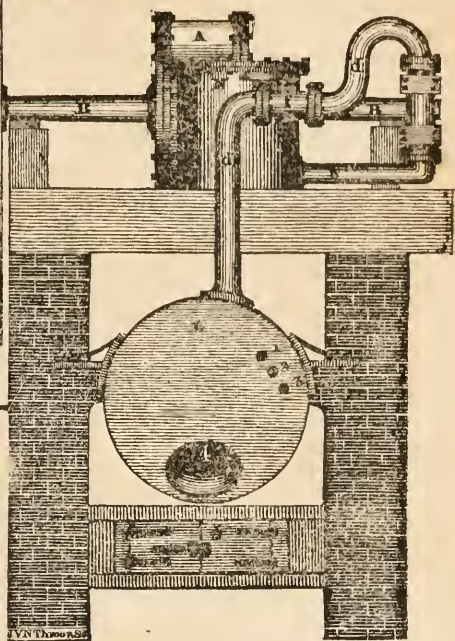


Fig. 4

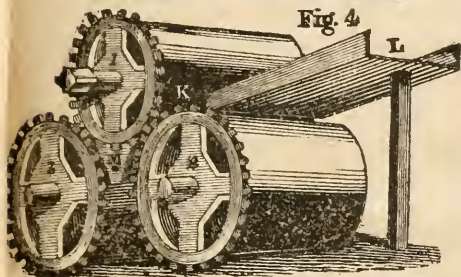


Fig. 5

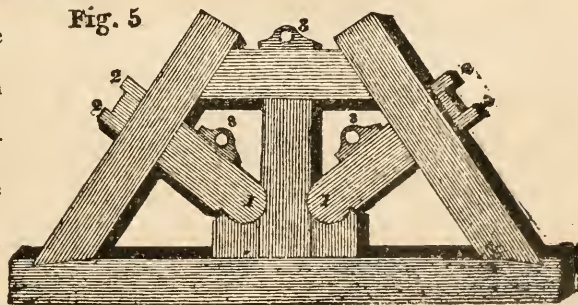


Fig. 1, is a side view of the Engine and Steam apparatus.

Fig. 2, is a top view, or ground plan of the same.

Fig. 3, is an end view of the Engine, &c. &c. with a sugar mill.

Fig. 4, is a view of the sugar cane rollers, &c. &c.

Fig. 5, is a view of the sugar mill frame.

C The boiler communicates the steam to the Engine through the pipe D, in which pipe are fixed the steam cock E, by which the steam is let on or shut off; and the safety-valve F, which permits the steam, whenever it rises above the required pressure to escape without the slightest re-action on the boiler and thereby relieving the mind from every apprehension of the boiler bursting.

G The eccentric motion on the shaft B, works the pump H, which performs 4 different duties, viz:

- 1st. By the pipe a it draws the cold water from the well.
- 2d. By the pipe b it injects the same into the hot water chest N.
- 3d. By the pipe c it draws the hot water from the hot water chest, and
- 4th. By the pipe d it injects the same into the boiler. f is a cock by which the water from the pipe d, when not required in the boiler can be returned to the hot water chest by the pipe e, without stopping the Engine or interfering the pumps, so that any quantity of water, may be lifted out of the well for any other purpose than supplying the boiler.

I The coupling box connects the shaft of the Engine to that of the sugar mill.

K The sugar mill (in Fig. 3 and 4) is composed of three rollers, viz. two are placed horizontally and parallel, and the other is placed in the upper cavity produced by the two first, viz. 1, the driving roller, receiving its motion from the Engine, and communicating the same to 2 and 3 by the cog wheels, is 22 inches diameter and 36 inches long. 2 and 3 are 26 inches diameter and 36 inches long.

L In Fig. 4, is a trough in which the cane being put is conveyed in between the rollers 1 and 2, and then by the conductor M is caused to pass between the rollers 1 and 3. There are sufficient spaces between the conductor and the rollers for the juice to pass into the vat underneath.

P In Fig. 3, is a small wheel or lever by which to start the Engine, when newly packed.

Fig. 5. The rule joint 1 is for the purpose of permitting the wedges 2 to raise or lower the rollers, to grind the cane fine or coarse. 3 are the bearings and brasses in which the rollers work.

Fig. 1 and 3—1, 2 and 3 are the gauge cocks, by which to ascertain the quantity of water in the boiler. 4 is a fire flue through the boiler. 5 are the furnace doors. 6 is the chimney.





